

**FINAL DECREE OF WATER RIGHTS FOR
BIG SANDY CREEK, BASIN 40H**

I. INTRODUCTION

This order is a Final Decree of existing water rights in Big Sandy Creek and its tributaries. The area encompassed by this decree has been designated as Basin 40H. A map of Basin 40H is attached as Exhibit A.

II. FINDINGS OF FACT

1. This Final Decree is part of a general adjudication of water rights in Montana. The Montana Legislature enacted the Water Use Act of 1979 and subsequent amendments to authorize the creation of the Montana Water Court and provide for a statewide adjudication of existing rights. The United States Congress enacted the McCarran Amendment, 43 U.S.C. § 666, to allow joinder of the United States in any suit “for the adjudication of rights to the use of water of a river system...” 43 U.S.C. § 666(a)(1).

2. The Montana Attorney General filed a petition requesting an order from the Montana Supreme Court requiring owners of existing water rights to file claims for their water. The Supreme Court issued an order requiring such owners, including the United States of America on its own behalf or as trustee for any Indian or Indian Tribe, to file claims for rights to the use of water arising prior to July 1, 1973.

3. The Supreme Court provided notice pursuant to Section 85-2-213, MCA, which required the order be:

(1) “[P]laced in a prominent and conspicuous place in all daily newspapers of the state and in at least one newspaper published in each county of the state within 30 days” of issuance of the order.

(2) “[P]laced in a prominent and conspicuous location in each county courthouse in the state within 30 days” of issuance of the order.

(3) Provided in written form “to the press services with offices located in Helena within 30 days” of issuance of the order.

(4) Served upon “the United States attorney general or the attorney general’s designated representative.”

§ 85-2-213(1)-(4), MCA.

4. The statute also authorized the Supreme Court to “give notice of the order in any other manner that will carry out the purposes of this section.” § 85-2-213(5), MCA.

5. The Supreme Court established a claim filing deadline of April 30, 1982.¹ Claims for stock and individual as opposed to municipal domestic uses based upon instream flow or ground water sources were exempt from the filing requirement, although claims for these rights were filed.

6. The Montana Legislature subsequently allowed for remission of forfeiture of certain claims not filed by the April 30, 1982 deadline. § 85-2-221(3), MCA. The deadline for filing these claims was July 1, 1996. The legislature also created a subsequent filing deadline for stock and individual as opposed to municipal domestic use claims based upon instream flow or ground water sources. The filing deadline for these claims was June 30, 2019. § 85-2-222(2)(a), MCA.

7. The United States filed claims for water rights in Basin 40H on behalf of the Chippewa Cree Tribe as part of Montana’s general adjudication of water rights. The adjudication of Chippewa Cree Tribal claims was stayed to permit negotiations with the Montana Reserved Water Rights Compact Commission. These negotiations resulted in an agreement titled the Chippewa Cree Tribe-Montana Compact, which is codified at Section 85-20-601, MCA.

8. The Water Court issued several decrees in Basin 40H before issuing this Final Decree. These decrees included a Preliminary Decree on January 22, 2003, an Interlocutory Decree on June 17, 2020, and a Final Decree of the Turtle Mountain Band of Chippewa Indians reserved rights on July 12, 2021.

¹ Order at 1, Cause No. 14833, Supreme Court of Montana (Dec. 7, 1981).

9. This Final Decree for Basin 40H also includes water rights in the Chippewa Cree Tribe-Montana Compact, which were incorporated into a Preliminary Decree dated April 27, 2000. The Water Court approved the Compact on May 22, 2002 and issued a Rule 54(b) certification and final judgment on June 13, 2002. A copy of the Chippewa Cree Tribe-Montana Compact is attached to this order as Exhibit B and incorporated fully herein without alteration.

10. The Water Court provided water users and other interested parties with notice of prior decrees in Basin 40H as follows:

(1) The Court sent a copy of each decree to the Department of Natural Resources and Conservation (DNRC).

(2) The Court served notice of the availability of each decree by mail on each person who filed a claim for an existing right in Basin 40H, or their successor as documented by DNRC records.

(3) The Court served notice of the availability of each decree by mail on each purchaser under contract for deed, as defined in Section 70-20-115, MCA of property in connection with which a claim of existing right was filed in Basin 40H.

(4) The Court served notice of the availability of each decree by mail on those issued or having applied for and not having been denied a permit to beneficially use water within Basin 40H pursuant to Title 85, chapter 2, part 3.

(5) Notice of the availability of each decree was served by mail on those granted a reservation within Basin 40H pursuant to Section 85-2-316, MCA.

(6) Notice of the availability of each decree was provided to other interested persons who requested notice from the water judge.

(7) Notice of each decree was also published once each week for three consecutive weeks in at least three newspapers of general circulation that covered the water division in which Basin 40H is located.

11. Following notice of the issuance of decrees in Basin 40H, opportunities to file objections and notices of intent to appear were afforded to water users and other interested parties. Objections and notices of intent to appear were resolved by various means including trials, settlements, and withdrawals. The Water Court also resolved issue remarks placed on water rights in prior decrees.

12. This Final Decree includes existing rights for both surface and groundwater.

13. The ownership of water rights shown in this decree is based on ownership records maintained by the Department of Natural Resources and Conservation.

III. CONCLUSIONS OF LAW

1. The term “existing right” or “existing water right” as used in this decree “means a right to the use of water that would be protected under the law as it existed prior to July 1, 1973. This term includes federal non-Indian and Indian reserved rights created under federal law and water rights created under state law.” § 85-2-102(13), MCA.

2. This Final Decree establishes all claims for existing water rights filed in Basin 40H pursuant to the Montana Supreme Court’s Order of December 7, 1981; all claims filed pursuant to Section 85-2-221, MCA; and all rights defined by Section 85-2-222(1), MCA and claimed pursuant to Section 85-2-222(2)(a), MCA.

3. This Final Decree establishes all existing rights of any federal agency or Indian Tribe required by Section 85-2-702, MCA to file claims within Basin 40H.

4. Section 85-2-234(4), MCA requires that a final decree “must establish, in a form determined to be appropriate by the water judge, one or more tabulations or lists of all water rights and their relative priorities.” The term “water right” is different than “existing water right” and “means the right to appropriate water pursuant to an existing right, a permit, a certificate of water right, a state water reservation, or a compact.” § 85-2-102(32), MCA.

5. A tabulation of all water rights in Basin 40H is attached as Exhibit C. This tabulation includes water rights adjudicated by the Water Court in this Final Decree, permits, certificates, and state water reservations authorized or issued by the Montana Department of Natural Resources and Conservation. The tabulation also includes by reference water rights described in the Chippewa Cree Tribe-Montana Compact, and water rights in Basin 40H previously adjudicated in the Turtle Mountain Band of Chippewa Indians Final Decree.

6. Some of the water rights in the tabulation, including permits for post-July 1, 1973 water rights authorized under Section 85-2-302, MCA; authorizations for changes to water rights issued pursuant to Sections 85-2-320 and 85-2-402, MCA; certificates of

water rights issued under Section 85-2-315, MCA; and state water reservations authorized under Section 85-2-316, MCA are not within the jurisdiction of the Water Court. Their inclusion in the tabulation is intended to comply with Section 85-2-234(4), MCA and facilitate the integrated administration of water rights in Basin 40H. This Final Decree is not an adjudication of those rights.

7. Section 85-2-234(5), MCA requires that a final decree must state the findings of fact, along with any conclusions of law, upon which the existing rights and priorities of each person, federal agency, and Indian Tribe named in the decree are based. Many of the water rights identified in Basin 40H were consolidated into cases and modified, terminated, or left intact after review of issue remarks or objections. Records from those proceedings can be found in both the Court's case files and in claim files. Other claims were adjudicated individually without being made part of a case and records of those proceedings exist within claim files. The findings of fact and conclusions of law for the water rights in this decree are included within and part of the case and claim files referenced in this paragraph. Those files are part of the record of the adjudication of existing rights in Basin 40H and the findings of fact and conclusions of law within them are incorporated into this decree by reference.

8. All requirements for joinder of the United States and of the United States as trustee for the Chippewa Cree Tribe and Turtle Mountain Band of Chippewa Indians in the adjudication of existing water rights in Basin 40H have been met.

9. The general adjudication of existing water rights by this court was an *inter sese* determination of all claims for existing water rights in Basin 40H except for unfiled exempt rights described in Section 85-2-222(1), MCA.

IV. JUDGMENT AND ORDER

This order is a Final Decree and judgment regarding the validity and characteristics of all existing water rights in Basin 40H except for unfiled exempt rights described in Section 85-2-222(1), MCA; water rights described in the Chippewa Cree Tribe-Montana Compact attached hereto as Exhibit B; and water rights described in the Turtle Mountain Band of Chippewa Indians Final Decree. Except for unfiled exempt

rights described in Section 85-2-222(1), MCA; water rights described in the Chippewa Cree Tribe-Montana Compact attached hereto as Exhibit B; and water rights described in the Turtle Mountain Band of Chippewa Indians Final Decree, existing water rights not recognized in this decree are terminated.

This Final Decree supersedes all prior decrees regarding existing rights in Basin 40H except for water rights described in the Chippewa Cree Tribe-Montana Compact attached hereto as Exhibit B and the Turtle Mountain Band of Chippewa Indians Final Decree. Reference to and inclusion of the Chippewa Cree Tribe-Montana Compact in this decree, and reference to water rights described in the Compact in the tabulation, does not constitute an adjudication or re-adjudication of the water rights recognized in that Compact, or a modification of prior orders of this Court approving that Compact.

Reference to and inclusion of the Turtle Mountain Band of Chippewa Indians Final Decree in this decree and reference to water rights described in the Turtle Mountain Band of Chippewa Indians Final Decree in the tabulation, does not constitute an adjudication or re-adjudication of the water rights recognized in the Turtle Mountain Band of Chippewa Indians Final Decree, or a modification of prior orders of this Court approving that Decree.

This Final Decree does not supersede or otherwise impact permits for post-July 1, 1973 water rights authorized under Section 85-2-302, MCA; authorizations for changes to water rights issued pursuant to Sections 85-2-320 and 85-2-402, MCA; certificates of water rights issued under Section 85-2-315, MCA; and state water reservations authorized under Section 85-2-316, MCA.

This Final Decree does not modify any orders previously made by this Court pursuant to its authority to review decisions of the Department of Natural Resources and Conservation under the Montana Administrative Procedure Act, Section 2-4-702(2)(e)(i), MCA.

Pursuant to Section 85-2-234(8), MCA, this court retains jurisdiction to correct clerical mistakes in this decree, to adjudicate unfiled exempt rights, and to review any other matters permitted by law.

The clerk of the Water Court is ordered to:

(1) Provide a copy of this decree to the Department of Natural Resources and Conservation, the United States, the Chippewa Cree Tribe, the Turtle Mountain Band of Chippewa Indians, and the clerks and recorders and clerks of court of Hill and Chouteau Counties.

(2) Post a copy of this decree on the Water Court website in a format that can be downloaded or printed.

(3) Retain and preserve in electronic or paper format all case files, basin folders, and other records of proceedings of the Water Court in Basin 40H. These records shall be maintained, organized, and identified in a manner that makes them searchable, reproducible, and accessible to members of the public.

(4) Arrange for and provide notice of availability of this decree in conformance with the requirements of Section 85-2-232, MCA.

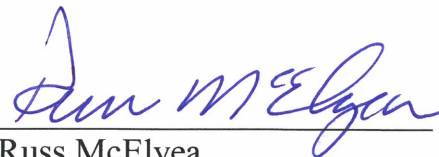
The Department of Natural Resources and Conservation is ordered to:

(1) Post a copy of this decree on its website in a format that can be downloaded or printed.

(2) Maintain a copy of this decree for public inspection at its field office in Havre, Montana and its headquarters in Helena, Montana.

(3) Retain and preserve in electronic or paper format all claim files for existing rights in Basin 40H, including the original claims and all attachments thereto; all supplemental documents filed by any party with the Department in conjunction with each claim; all correspondence to or from the Department regarding each claim; all reports and documents produced by the Department in the course of reviewing, verifying, examining, or investigating each claim; all ownership updates regarding each claim; and all documents, orders, correspondence, or other materials produced by or for the Water Court in each claim file. These records shall be maintained, organized, and identified in a manner that makes them searchable, reproducible, and accessible to members of the public.

DATED this 28th day of October, 2021.



Russ McElyea
Chief Water Judge

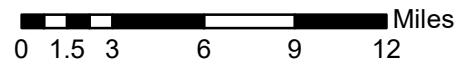
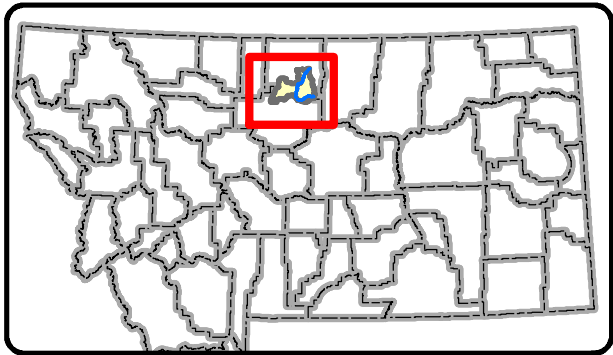
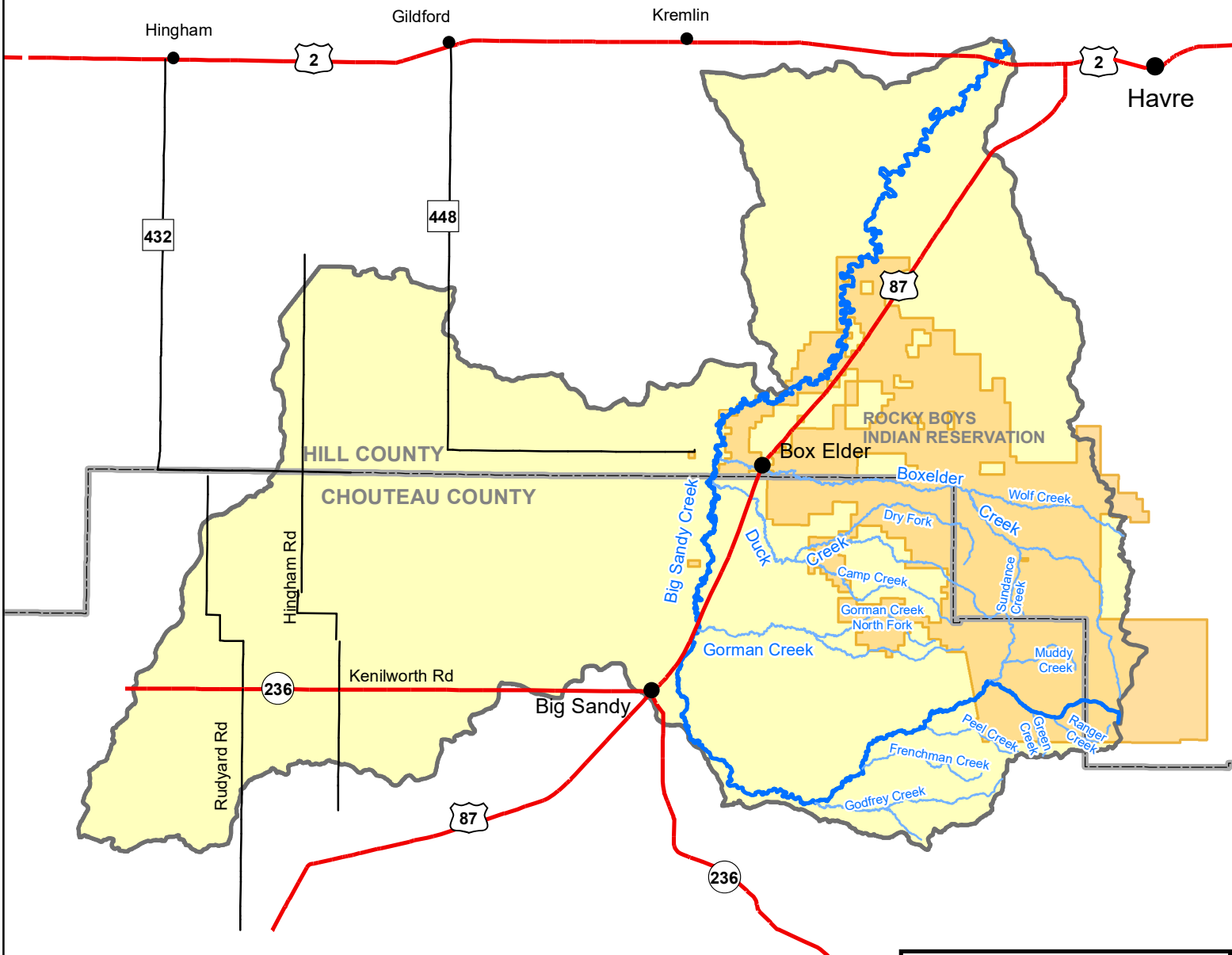
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Basin 40H Big Sandy Creek



Waterways

- Streams (represented by a thin blue wavy line)
- Big Sandy Creek (represented by a thick blue wavy line)

Major Roads

- Primary (represented by a thick red line)
- Secondary (represented by a thin black line)

County (represented by a dashed black line)

Basin 40N Boundary (represented by a yellow shaded area)

Reservation (represented by an orange shaded area)



Montana Code Annotated 2021

TITLE 85. WATER USE

CHAPTER 20. WATER COMPACTS

Part 6. Chippewa Cree Tribe-Montana Compact

Chippewa Cree Tribe-Montana Compact Ratified

85-20-601. Chippewa Cree Tribe-Montana compact ratified. The compact entered into by the State of Montana and the Chippewa Cree Tribe of the Rocky Boy's Indian Reservation and filed with the Secretary of State of the State of Montana under the provisions of **85-2-702** on April 15, 1997, is ratified. The compact is as follows:

WATER RIGHTS COMPACT

STATE OF MONTANA

CHIPPEWA CREE TRIBE OF THE ROCKY BOY'S RESERVATION

UNITED STATES OF AMERICA

This Compact is entered into by and among the State of Montana, the Chippewa Cree Tribe of the Rocky Boy's Reservation, and the United States of America for the purpose of settling any and all existing water rights claims of the Chippewa Cree Tribe in the State of Montana.

ARTICLE I - RECITALS

WHEREAS, in 1979, the United States, on behalf of the Chippewa Cree Tribe of the Rocky Boy's Reservation, brought suit in the United States District Court for the District of Montana to obtain a final determination of the Tribe's water rights claims, see, [United States v. Aageson](#), No. CIV-79-21-GF (filed April 5, 1979); and

WHEREAS, Congress consented to state court jurisdiction over the quantification of claims to water rights held by the United States of America in trust for the Tribe; see, "the McCarran Amendment", 43 U.S.C. 666 (1952); [Colorado River Water Conservation Dist. v. United States](#), 424 U.S. 800 (1976); [Arizona v. San Carlos Apache Tribe](#), 463 U.S. 545 (1983); and

WHEREAS, the State of Montana initiated a general stream adjudication pursuant to the provisions of Chapter 697, Laws of Montana 1979, which includes Chippewa Cree tribal water rights; and

WHEREAS, the United States has filed claims on behalf of the Chippewa Cree Tribe in the general stream adjudication initiated by the State of Montana; and

WHEREAS, the Montana Reserved Water Rights Compact Commission, under **85-2-702(1)**, MCA, is authorized to negotiate settlement of water rights claims filed by Indian tribes or on their behalf by the United States claiming reserved waters within the State of Montana; and

WHEREAS, the federal district court litigation was stayed in 1983 pending the outcome of Montana State court water adjudication proceedings, see, 721 F.2d 1189; and

WHEREAS, the adjudication of Chippewa Cree tribal water rights in the state court proceedings has been suspended while negotiations are proceeding to conclude a compact resolving all water rights claims of the Chippewa Cree Tribe within the State of Montana; and

WHEREAS, the Chippewa Cree Business Committee, or its duly designated representatives, have authority to negotiate this Compact pursuant to 1(a), of Article VI of the Tribal Constitution; and

WHEREAS, the United States Attorney General, or a duly designated official of the United States Department of Justice, has authority to execute this Compact on behalf of the United States pursuant to the authority to settle litigation contained in 28 U.S.C. Sections 516-17 (1993); and

WHEREAS, the Secretary of the Interior, or a duly designated official of the United States Department of the Interior, has authority to execute this Compact on behalf of the United States Department of the Interior pursuant to 43 U.S.C. Section 1457 (1986), inter alia; and

WHEREAS, the Chippewa Cree Tribe, the State of Montana, and the United States agree that the Tribal Water Right described in this Compact shall be in satisfaction of the Tribe's water rights claims within the State of Montana; and

WHEREAS, it is in the best interest of all parties that the water rights claims of the Chippewa Cree Tribe be settled through agreement between and among the Tribe, the State of Montana, and the United States;

NOW THEREFORE, the parties agree to enter into this Compact for the purpose of settling the water rights claims of the Chippewa Cree Tribe within the State of Montana.

ARTICLE II - DEFINITIONS

The following definitions shall apply for purposes of this Compact:

1. "Acre-foot" or "AF" means the amount of water necessary to cover one acre to a depth of one foot and is equivalent to 43560 cubic feet.

2. "Adverse effect" means an interference with the reasonable exercise of a water right.

3. "Acre feet per year" or "AFY" means the quantity of water to which the Tribe has a right each year measured in acre feet over a period of a year.

4. "Ancestral Missouri River Channel Aquifer" means that material deposited by the Missouri River prior to Pleistocene glaciation, and glacial deposits underlying post-glacial alluvial deposits in the River valley that are sufficiently permeable to conduct groundwater and to yield water to wells. This aquifer is located in the valley of Big Sandy Creek at a depth of 150 feet or more beneath the surface of the ground as shown in Appendix 11 and described in USGS Water Supply Paper 1460-B, Swenson, Frank, "Geology and Ground-Water Resources of the Lower Marias Irrigation Project Montana," (1957).

5. "Beaver Creek Drainage" means Beaver Creek and its tributaries from its headwaters to the confluence with the Milk River, as shown in Appendices 5 and 6.

6. "Big Sandy Creek Basin" means the mainstem of Big Sandy Creek and its tributaries (exclusive of Sage Creek and Lonesome Lake) in Water Court Basin 40H from the headwaters to the confluence with the Milk River, as shown in Appendices 5 and 6.

7. "Board" means the Chippewa Cree - Montana Compact Board established by Section D. of Article IV of this Compact.

8. "Bonneau Reservoir" means the water impoundment as shown in Appendix 6, including the existing storage capacity and the proposed expanded storage capacity, and for which a water right is described in Article III of this Compact.

9. "Box Elder Creek Drainage" means the sub-basin of Big Sandy Creek Basin containing the reach of Box Elder Creek from its headwaters to its confluence with Big Sandy Creek, as shown in Appendix 6.

10. "Brown's Reservoir" means the proposed water impoundment as shown in Appendix 6, including the existing storage capacity and the proposed expanded storage capacity, and for which a water right is described in Article III of this Compact.

11. "Bypass" means the designated streamflow around or through a diversion.

12. "Camp Creek Drainage" means the sub-basin of Big Sandy Creek Basin containing the reach of Camp Creek from its headwaters to its confluence with Duck Creek, as shown in Appendix 6.

13. "Change in use" means a change in the point of diversion, the place of use, the purpose of use, or the place or means of storage.

14. "Consumptive use" means use of water other than a "non-consumptive use" as defined in this Article.

15. "Continuously store" or "continuous storage" means the right to fill and then continually refill the active storage capacity of an impoundment from the natural flow of the source on which the impoundment is located.

16. "DNRC" means the Montana Department of Natural Resources and Conservation, or any successor agency.

17. "Drainage Stipulation" means an agreement entered into between and among the Tribe, the United States acting in its capacity as trustee for the Tribe, and one or more signatory non-tribal water users for entry as a stipulation in Montana Water Court. Drainage stipulations are set forth in Appendix 2.

18. "Drainage of Origin" means the drainage in which the water initially arises. See Appendix 6 showing drainage area boundaries.

19. "Duck Creek Drainage" means the sub-basin of Big Sandy Creek Basin containing the reach of Duck Creek from its headwaters to its confluence with Big Sandy Creek, as shown in Appendix 6.

20. "East Fork Reservoir" means the proposed water impoundment as shown in Appendix 6, including the existing storage capacity and the proposed expanded storage capacity, and for which a water right is described in Article III of this Compact.

21. "Evaporative Loss" means reduction in the quantity of water due to the process of evaporation

and shall be three (3) acre feet per surface acre rounded off as set forth in Article III.

22. "Fish and Wildlife Enhancement" means the use of water to improve existing habitat for fish and wildlife use, protection, conservation or management through physical or operational modifications of impoundments, within the areas designated in Appendix 4.

23. "Gorman Creek Drainage" means the sub-basin of Big Sandy Creek Basin containing the reach of Gorman Creek from its headwaters to its confluence with Big Sandy Creek, as shown in Appendix 6.

24. "Gravel Coulee Drainage" means the sub-basin of Big Sandy Creek Basin containing the reach of Gravel Coulee from its headwaters to its confluence with Big Sandy Creek, as shown in Appendix 6.

25. "Groundwater" means any water that is beneath the ground surface.

26. "Hydrologically Connected" means the interconnection of groundwater and surface water such that they constitute one water supply and use of either results in an impact to both.

27. "Lake Elwell" means the water impounded on the Marias River by Tiber Dam.

28. "Lonesome Lake Coulee" means the mainstem of Lonesome Lake Coulee and its tributaries in Water Court Basin 40H from its headwaters to its confluence with Big Sandy Creek, as shown in Appendices 5 & 6.

29. "Lower Big Sandy Creek Drainage" means the sub-basin of Big Sandy Creek Basin containing the reach of Big Sandy Creek below its confluence with Box Elder Creek as shown in Appendix 6.

30. "Minimum Pool" means the quantity of water in an impoundment, as measured in acre-feet, or by the water surface elevation in feet above sea level, that is not available for release for designated water uses.

31. "MR&I Water" means water for use for municipal, rural, industrial, domestic, and incidental drought relief purposes on the Reservation.

32. "Municipal/Domestic Uses" means water for domestic, public, commercial and industrial uses.

33. "Net Depletion" means the difference between the quantity of water diverted from a source and the quantity of water returned to the same source at or near the point of diversion.

34. "New reserved water rights" means any reserved water rights created with acquisition of land by the Tribe or the United States to be held in trust by the United States for the Tribe, after the date of ratification of this Compact by the State and the Tribe, whichever is later.

35. "Non-consumptive use" means a use of water that does not cause a reduction in the source of supply and in which substantially all of the water returns without delay to the source of supply, causing little or no disruption in stream or groundwater conditions.

36. "Non-Irrigation Water Uses" means the use of water for purposes other than the production of agricultural commodities, such as, but not limited to domestic, livestock, fish and wildlife, and recreational uses, including development of golf courses.

37. "Parties" means the Tribe, the State of Montana, and the United States.

38. "Person" means an individual or any other entity, public or private, including the State, the Tribe and the government of the United States and all officers, agents, and departments thereof.

39. "Ratification date" means the date on which the Compact is finally approved by the Business Committee of the Chippewa Cree Tribe, by the Montana Legislature, and by the Congress of the United States, whichever date is latest.

40. "Recognized under state law" when referring to a water right means a water right arising under state law, but does not include water rights arising under federal law.

41. "Release" means (verb) to discharge water from storage, or (noun) the discharge of water from storage.

42. "Reservation" means the Rocky Boy's Reservation and includes all lands and interests in lands which are held in trust by the United States for the Chippewa Cree Tribe, including future additions to the Reservation.

43. "Sage Creek" means the main stem of Sage Creek and its tributaries in Water Court Basin 40G from the headwaters to the confluence with Big Sandy Creek, as shown in Appendices 5 and 6.

44. "Secretary" means the Secretary of the United States Department of the Interior, or his or her duly authorized representative.

45. "Shallow Alluvium Aquifer" means the material deposited by flowing water generally during, or after Pleistocene glaciation that is sufficiently permeable to conduct groundwater and to yield water to wells and springs.

46. "State" means the state of Montana and all officers, agents, departments, and political subdivisions thereof.

47. "Stockwatering" means the storage and use of water for the purpose of providing water to domesticated animals and wildlife.

48. "Stoneman Farms" means the tribal agricultural projects shown in Appendix 6.

49. "Stoneman Reservoir" means the water impoundment, as shown in Appendix 6, including the existing storage capacity and the proposed expanded storage capacity, and for which a water right is described in Article III of this Compact.

50. "Subordinate" means to rank the priority in which a water right is fulfilled behind other specified water rights without regard to relative priority dates.

51. "Supplemental Irrigation Water" means water used for irrigation, as a secondary supply, once it becomes apparent that the primary supply will be unable to meet the full annual demand.

52. "Surface Acres" means the horizontal area in acres associated with the water surface in an impoundment when filled to the maximum capacity.

53. "Transfer" means (verb) to authorize a person to use all or any part of the Tribal Water Right through a service contract, lease, or other similar agreement of limited duration; (noun) a service contract, lease, or other similar agreement of limited duration authorizing the use of all or any part of the Tribal Water Right.

54. "Tribal Water Resources Department" or "TWRD" means the Chippewa Cree Tribal Water Resources Department, or any successor agency.

55. "Tribal Water Right" means the right of the Chippewa Cree Tribe of the Rocky Boy's Reservation to divert, use, or store water as described by Article III of this Compact.

56. "Tribe" means the Chippewa Cree Tribe of the Rocky Boy's Reservation and all officers, agents and departments thereof.

57. "United States" means the federal government and all officers, agencies, departments, and political subdivisions thereof.

58. "Upper Big Sandy Creek Drainage" means the sub-basin of Big Sandy Creek Basin containing the reach of Big Sandy Creek from its headwaters to its confluence with Box Elder Creek, as shown in Appendix 6.

59. "Volcanic Bedrock Aquifer" means those Tertiary igneous rock units that are sufficiently permeable to conduct groundwater and to yield water to wells and springs as shown in USGS Miscellaneous Geologic Investigations Map I-234, "Preliminary General Geologic Map of the Laredo Quadrangle, Bearpaw Mountains, Montana," and Map I-235, "Preliminary Geologic Map of the Centennial Mountain Quadrangle, Bearpaw Mountains, Montana," and shown as surface outcrop in Appendix 11.

ARTICLE III - TRIBAL WATER RIGHT

A. Basin 40H: Big Sandy Creek Basin.

1.

Gravel Coulee/Lower Big Sandy Creek Drainages - 1690 AFY diversion - 1000 AF continuous storage

a. Quantification - Source - Volume.

(1) Storage. The Tribe shall have the right to continuously store or permit the continuous storage of up to a capacity of 1000 AF of water in Stoneman Dam and Reservoir from the natural flow of Gravel Coulee. Subject to the 1000 AF limit on storage capacity, the Tribe shall have the additional right to divert up to 1480 AFY from the direct flow of Lower Big Sandy Creek and up to 445 AFY from groundwater for storage in Stoneman Dam and Reservoir as set forth in Section A.1.a.(2) of Article III. The quantity impounded by continuous storage shall not decrease the 1480 AFY which the Tribe may divert for the purposes allowed in Section A.1.e. of Article III. In addition to the storage right set forth in this section, the Tribe shall have the right to store water for stockwatering and fish and wildlife purposes, as set forth in Sections A.1.e.(3) and (4) of Article III.

(2) Diversion. The Tribe shall have the right to divert or use or permit the diversion or use of 1690 AFY of water from the following sources where they occur on the Reservation in any combination up to the limits on each source and the total limit of 1690 AFY:

(a) Direct Flow. The Tribe shall have the right to divert or use or permit the diversion or use of up to 1690 AFY from the direct flow of Gravel Coulee and Lower Big Sandy Creek and its tributaries. 1480 AFY of the water from direct flow may be diverted to storage prior to application to any purposes allowed in Section A.1.e. of Article III without reducing the amount that can be applied to such purposes until such water is re-diverted from storage and applied to such purposes.

(b) Storage. Of the 1690 AFY, the Tribe shall have the right to divert 1480 AFY from storage in Stoneman Reservoir for irrigation and non-irrigation purposes as more specifically provided in Sections A.1.e.(1) and (2) of Article III; provided that, the right to divert 1480 AFY from Lower Big Sandy Creek to storage is not reduced by the amount of water diverted for irrigation or non-irrigation purposes from water derived from storage.

(c) Groundwater. Of the 1690 AFY, the Tribe shall have the right to withdraw and use or permit the withdrawal and use of up to 445 AFY of groundwater in the Gravel Coulee and Lower Big Sandy Creek drainages in compliance with Sections A.6.a. and b. of Article IV. Groundwater may be diverted to storage prior to application to any purposes allowed in Section A.1.e. of Article III without reducing the amount that can be applied to such purposes until such water is re-diverted from storage and applied to such purposes.

(i) Of the 445 AFY, 100 AFY may be appropriated from the shallow alluvium along Gravel Coulee and Lower Big Sandy Creek.

(ii) Of the 445 AFY, 345 AFY may be appropriated from the Ancestral Missouri River Channel Aquifer in the Gravel Coulee and Lower Big Sandy Creek drainages. Groundwater from the Ancestral Missouri River Channel Aquifer is a primary source for non-irrigation uses; provided that, the non-irrigation uses do not result in discharge of untreated water to land or surface water. Groundwater from the Ancestral Missouri River Channel Aquifer is a supplemental source for irrigation uses.

b. Priority Date. The water rights to surface flow, groundwater, and storage as set forth in Section A.1. of Article III, for the Gravel Coulee and Lower Big Sandy drainages shall have a priority date of September 7, 1916, subject to the subordination agreements set forth in Section A.8. of Article IV, and the drainage stipulations set forth in Appendix 2.

c. Period of Use. The period of use of this water right shall be from January 1 through December 31 of each year.

d. Points and means of diversion. Subject to the terms and conditions set forth in Article IV, the Tribe may divert or permit the diversion of this water right from any place and by any means on Lower Big Sandy Creek and Gravel Coulee drainages on the Reservation.

e. Purposes. The Tribe's right to 1690 AFY from the Gravel Coulee and Lower Big Sandy drainages may be used for the following purposes; provided that, subject to the limitations set forth in Article IV, the Tribe may make a change in use or transfer of the water identified for irrigation and non-irrigation purposes.

(1) Irrigation.

(a) Volume. 1380 AFY of water in Gravel Coulee and Lower Big Sandy Creek drainages may be used for irrigation.

(b) Source. The 1380 AFY for irrigation may come from a combination of direct flow, storage and

groundwater in the Gravel Coulee and Lower Big Sandy drainages.

(c) Place of use. The 1380 AFY may be used to irrigate 540 acres at Stoneman Farms on the Reservation.

(2) Non-Irrigation.

(a) Volume. 100 AFY of water in Gravel Coulee and Lower Big Sandy Creek drainages may be used for non-irrigation purposes.

(b) Source. The 100 AFY for non-irrigation purposes may come from a combination of direct flow, storage, and groundwater in the Gravel Coulee and Lower Big Sandy drainages.

(c) Point of diversion. The 100 AFY for non-irrigation purposes may be diverted on the Reservation within the Lower Big Sandy and Gravel Coulee drainages.

(3) Stockwatering - Evaporative Loss. Use of the Tribal Water Right for stockwatering in Gravel Coulee and Lower Big Sandy Creek drainages is a consumptive use. The Tribe may not make a change in use or transfer of the water right for stockwatering; provided that, the Tribe may repair or relocate an impoundment for stockwatering within the drainage of origin; and provided further that, the new point of diversion or place of use does not change to a place from upstream of to downstream of, or from downstream of to upstream of the location of the point of diversion of a water right recognized under state law with a priority date before the date the Compact is ratified by the State and the Tribe, whichever date is later.

(a) Volume. 160 AFY of water in Gravel Coulee and Lower Big Sandy Creek drainages may be used for stockwatering as a consumptive use measured by evaporative loss; provided that, the total surface acreage of impoundments shall not exceed 40 surface acres of impoundments on Lower Big Sandy drainage and 13 surface acres of impoundments on Gravel Coulee drainage. The Tribe shall have the right to continuously store water in these impoundments.

(b) Source.

i. Of the 160 AFY, 120 AFY for stockwatering may come from the direct flow of Lower Big Sandy Creek.

ii. Of the 160 AFY, 40 AFY for stockwatering may come from the direct flow of Gravel Coulee.

iii. Water for stockwatering may not be diverted from a perennial stream for off-stream storage other than for a lined storage facility with a capacity of less than 0.5 AF.

(c) Place of use. The Tribal Water Right for stockwatering in the Gravel Coulee and Lower Big Sandy Creek drainages may be used in the drainage of origin, on the Reservation. The current stockwater impoundments are shown in Appendix 7.

(4) Fish and Wildlife Enhancement - Evaporative Loss. Use of the Tribal Water Right for fish and wildlife enhancement in Gravel Coulee and Lower Big Sandy Creek drainages is a consumptive use. The Tribe may not make a change in use or transfer of the Tribal Water Right for fish and wildlife enhancement; provided that, the Tribe may repair or relocate an impoundment for fish and wildlife enhancement within the drainage of origin; and provided further that, the new point of diversion or

place of use does not change to a place from upstream of to downstream of, or from downstream of to upstream of the location of the point of diversion of a water right recognized under state law with a priority date before the date the Compact is ratified by the State and the Tribe, whichever date is later.

(a) Volume. 50 AFY of water may be used for fish and wildlife enhancement as a consumptive use measured by evaporative loss; provided that, the total surface acreage of impoundments shall not exceed 16 surface acres of impoundments in the Gravel Coulee and Lower Big Sandy Creek drainages. The Tribe shall have the right to continuously store water in these impoundments.

(b) Source. The 50 AFY for fish and wildlife enhancement may come from the direct flow of Gravel Coulee and Big Sandy Creek.

(c) Place of use. The Tribal Water Right for fish and wildlife enhancement may be used in the areas shown in Appendix 4 in the Gravel Coulee and Big Sandy Creek drainages, in the respective drainages of origin.

2. Box Elder Creek Drainage - 6940 AFY diversion - 4800 AF continuous storage.

a. Quantification - Source - Volume.

(1) Storage. The Tribe shall have the right to continuously store, or permit the continuous storage in Bonneau Reservoir, Brown's Reservoir, and in any new impoundments, of up to a capacity of 4800 AF from the natural flow of Box Elder Creek, or any natural flow from the source on which the impoundment is located. Subject to the 4800 AF limit on storage capacity, the Tribe shall have the additional right to divert up to 6310 AFY from the direct flow of Box Elder Creek for storage in Brown's Reservoir and in any new impoundments not located on Box Elder Creek and to divert 1950 AFY from groundwater for storage in any new or existing impoundment wherever located, as set forth in Section A.2.a.(2) of Article III. The quantity impounded by continuous storage shall not decrease the 6310 AFY, which the Tribe may divert for the purposes allowed in Section A.2.e. of Article III. In addition to the storage right set forth in this section, the Tribe shall have the right to store water for stockwatering and fish and wildlife enhancement purposes as set forth in Sections A.2.e.(4) and (5) of Article III.

(2) Diversion. The Tribe shall have the right to use or permit the use of 6940 AFY of water from the following sources where they occur on the Reservation in any combination up to the limits on each source and the total limit of 6940 AFY:

(a) Direct Flow. Of the 6940 AFY, the Tribe shall have the right to divert or use or permit the diversion or use of up to 6590 AFY from Box Elder Creek and its tributaries. 6310 AFY of the water from direct flow may be diverted to storage prior to application to any purposes allowed in Section A.2.e. of Article III without reducing the amount that can be applied to such purposes until such water is re-diverted from storage and applied to such purposes.

(b) Storage. Of the 6940 AFY, the Tribe shall have the right to divert a total of 6310 AFY from storage in one or more of the following reservoirs: Bonneau Reservoir, Brown's Reservoir, and any new impoundments for irrigation and non-irrigation purposes. The right to divert 6310 AFY from Box Elder Creek to storage is not reduced by the amount of water diverted for irrigation or non-irrigation purposes from water derived from storage.

(c) Groundwater. Of the 6940 AFY, the Tribe shall have the right to withdraw and use or to permit the withdrawal and use of up to 1950 AFY of groundwater in the Box Elder Creek drainage in compliance with Sections A.6.a. and b. of Article IV. Groundwater may be diverted to storage prior to application to any purposes allowed in Section A.2.e. of Article III without reducing the amount that can be applied to such purposes until such water is re-diverted from storage and applied to such purposes.

(i) Of the 1950 AFY, 180 AFY may be appropriated from the shallow alluvium in the Box Elder Creek drainage.

(ii) Of the 1950 AFY, 230 AFY may be appropriated from the volcanic bedrock in the Box Elder Creek drainage.

(iii) Of the 1950 AFY, 1570 AFY may be appropriated from the Ancestral Missouri River Channel Aquifer; provided that, should water be imported to the Reservation, the entire 1950 AFY may be appropriated from the Ancestral Missouri River Channel Aquifer. Water from the Ancestral Missouri River Channel Aquifer is a primary source for non-irrigation uses; provided that, the non-irrigation uses do not result in discharge of untreated water to land or surface water. Groundwater from the Ancestral Missouri River Channel Aquifer is a supplemental source for irrigation uses.

b. Priority Date. The water rights to surface flow, groundwater, and storage, as set forth in Section A.2. of Article III, for the Box Elder Creek drainage, including water supplied by Box Elder Creek for off-stream storage, shall have a priority date of September 10, 1888, subject to the subordination agreements set forth in Section A.8. of Article IV, and the drainage stipulations set forth in Appendix 2.

c. Period of use. The period of use of this water right shall be from January 1 through December 31 of each year.

d. Points and Means of diversion. Subject to the terms and conditions set forth in Article IV, the Tribe may divert or permit the diversion of this water right from any place and by any means in the Box Elder Creek drainage on the Reservation.

e. Purposes. The Tribe's right to 6940 AFY in the Box Elder Creek drainage may be used for the following purposes; provided that, subject to the limitations set forth in Article IV, the Tribe may make a change in use or transfer of the water identified for irrigation, non-irrigation and municipal/domestic purposes.

(1) Irrigation.

(a) Volume. 6280 AFY of water in the Box Elder Creek drainage may be used for irrigation.

(b) Source. The 6280 AFY for irrigation may come from a combination of direct flow, storage and groundwater. Water from the Ancestral Missouri River Channel Aquifer is a primary source for non-irrigation uses; provided that, the non-irrigation uses do not result in discharge of untreated water to land or surface water. Groundwater from the Ancestral Missouri River Channel Aquifer is a supplemental source for irrigation uses.

(c) Place of use. The 6280 AFY may be used to irrigate 1930 acres at the Stoneman Farms on the Reservation.

(2) Non-Irrigation.

(a) Volume. 30 AFY of water in the Box Elder Creek drainage may be used for non-irrigation purposes.

(b) Source. The 30 AFY for non-irrigation purposes may come from direct flow, storage, or groundwater or a combination thereof in the Box Elder Creek drainage. The 30 AFY for non-irrigation use may be developed from either the shallow alluvium or volcanic bedrock aquifers.

(3) Municipal / Domestic.

(a) Volume. 350 AFY of water in the Box Elder Creek drainage may be used for municipal/domestic purposes.

(b) Source. The 350 AFY for municipal/domestic purposes may come from the following sources:

i. 150 AFY from the shallow alluvium adjacent to Box Elder Creek.

ii. 200 AFY from the volcanic bedrock.

(4) Stockwatering - Evaporative Loss. Use of the Tribal Water Right set forth for stockwatering in the Box Elder Creek drainage is a consumptive use. The Tribe may not make a change in use or transfer of the water right for stockwatering; provided that, the Tribe may repair or relocate an impoundment for stockwatering within the drainage of origin; and provided further that, the new point of diversion or place of use does not change to a place from upstream of to downstream of, or from downstream of to upstream of the location of the point of diversion of a water right recognized under state law with a priority date before the date the Compact is ratified by the State and the Tribe, whichever date is later.

(a) Volume. 130 AFY of water may be used for stockwatering as a consumptive use measured by evaporative loss; provided that, the total surface acreage of impoundments shall not exceed 44 surface acres of impoundments in Box Elder Creek drainage. The Tribe shall have the right to continuously store water in these impoundments.

(b) Source. The 130 AFY for stockwatering may come from the direct flow of Box Elder Creek. Water for stockwatering may not be diverted from a perennial stream for off-stream storage other than for a lined storage facility with a capacity of less than 0.5 AF.

(c) Place of use. The Tribal Water Right for stockwatering in the Box Elder Creek drainage may be used in the drainage of origin, on the Reservation. The current stockwater impoundments are shown in Appendix 7.

(5) Fish and Wildlife Enhancement - Evaporative Loss. Use of the Tribal Water Right for fish and wildlife enhancement in the Box Elder Creek drainage is a consumptive use. The Tribe may not make a change in use or transfer of the Tribal Water Right for fish and wildlife enhancement; provided that, the Tribe may repair or relocate an impoundment for fish and wildlife enhancement within the drainage of origin; and provided further that, the new point of diversion or place of use does not change to a place from upstream of to downstream of, or from downstream of to upstream of the location of the point of diversion of a water right recognized under state law with a priority date before the date the Compact is ratified by the State and the Tribe, whichever date is later.

(a) Volume. 150 AFY of water may be used for fish and wildlife enhancement as a consumptive use measured by evaporative loss; provided that, the total surface acreage of impoundments shall not exceed 50 surface acres of impoundments in Box Elder Creek drainage. The Tribe shall have the right to continuously store water in these impoundments.

(b) Source. The 150 AFY for fish and wildlife enhancement may come from the direct flow of Box Elder Creek and its tributaries.

(c) Place of use. The Tribal Water Right for fish and wildlife enhancement may be used in the areas shown in Appendix 4 in the Box Elder Creek drainage, in the drainage of origin.

3. Camp Creek and Duck Creek Drainages - 280 AFY diversion.

a. Quantification - Source, Volume. The Tribe shall have the right to use or permit the use of 280 AFY of water from the following sources where they occur on the Reservation in any combination up to the limits on each source and the total limit of 280 AFY:

(1) Direct Flow. Of the 280 AFY, the Tribe shall have the right to divert or use or permit the diversion or use of up to 230 AFY from Duck and Camp Creeks and their respective tributaries in the following proportions:

(a) 170 AFY from Duck Creek.

(b) 60 AFY from Camp Creek.

(2) Storage. The Tribe shall have the right to store water for stockwatering and fish and wildlife enhancement purposes as set forth in Sections A.3.e.(2) and (3) of Article III.

(3) Groundwater. Of the 280 AFY, the Tribe shall have the right to withdraw and use or permit the withdrawal and use of up to 50 AFY of groundwater in the Camp and Duck Creek drainages on the Reservation, including groundwater that is hydrologically connected to surface water, in compliance with Sections A.6.a. and b. of Article IV. This right shall be exercised in the following proportions:

(a) 40 AFY from Duck Creek.

(b) 10 AFY from Camp Creek.

b. Priority Date. The water rights to surface flow, groundwater, and storage, as set forth in Section A.3. of Article III, for the Camp and Duck Creek drainages shall have a priority date of September 7, 1916, subject to the subordination agreements set forth in Section A.8. of Article IV, and the drainage stipulations set forth in Appendix 2.

c. Period of Use. The period of use of this water right shall be from January 1 through December 31 of each year.

d. Points and means of diversion. Subject to the terms and conditions set forth in Article IV, the Tribe may divert or permit the diversion of this water right from any place and by any means in the Camp Creek and Duck Creek drainages on the Reservation.

e. Purposes. The Tribe's right to 280 AFY in the Camp and Duck Creek drainages may be used for the following purposes; provided that, the Tribe may not make a change in use or transfer that results in a change in the place of use, point of diversion or place or means of storage to a place outside the

drainage of origin or to a place from upstream of to downstream of, or from downstream of to upstream of the location of the point of diversion of a water right recognized under state law with a priority date before the date the Compact is ratified by the State and the Tribe, whichever date is later.

(1) Non-Irrigation.

(a) Volume. 50 AFY of water in the Camp and Duck Creek drainages may be used for non-irrigation purposes.

(b) Source. The 50 AFY for non-irrigation purposes may come from groundwater including groundwater that is hydrologically connected to surface water in the Camp and Duck Creek drainages.

(c) Place of use. The Tribal Water Right for non-irrigation purposes in Camp and Duck Creek drainages may be used in the drainage of origin on the Reservation.

(2) Stockwatering - Evaporative Loss. Use of the Tribal Water Right for stockwatering in Camp and Duck Creek drainages is a consumptive use. The Tribe may not make a change in use or transfer of the water right for stockwatering; provided that, the Tribe may repair or relocate an impoundment for stockwatering within the drainage of origin; and provided further that, the new point of diversion or place of use does not change to a place from upstream of to downstream of, or from downstream of to upstream of the location of the point of diversion of a water right recognized under state law with a priority date before the date the Compact is ratified by the State and the Tribe, whichever date is later.

(a) Volume. 130 AFY of water may be used for stockwatering as a consumptive use measured by evaporative loss; provided that, the total surface acreage of impoundments shall not exceed 19 surface acres of impoundments in the Camp Creek drainage and 23 surface acres of impoundments on Duck Creek drainage. The Tribe shall have the right to continuously store water in these impoundments.

(b) Source.

i. Of the 130 AFY, 60 AFY for stockwatering may come from the direct flow of Camp Creek.

ii. Of the 130 AFY, 70 AFY for stockwatering may come from the direct flow of Duck Creek.

iii. Water for stockwatering may not be diverted from a perennial stream for off-stream storage other than for a lined storage facility with a capacity of less than 0.5 AF.

(c) Place of use. The Tribal Water Right for stockwatering in the Camp and Duck Creek drainages may be used in the drainage of origin on the Reservation. The current stockwater impoundments are shown in Appendix 7.

(3) Fish and Wildlife Enhancement - Evaporative Loss. Use of the Tribal Water Right for fish and wildlife enhancement in the Camp and Duck Creek drainages is a consumptive use. The Tribe may not make a change in use or transfer of the Tribal Water Right for fish and wildlife enhancement; provided that, the Tribe may repair or relocate an impoundment for fish and wildlife enhancement within the drainage of origin; and provided further that, the new point of diversion or place of use does not change to a place from upstream of to downstream of, or from downstream of to upstream of the location of the point of diversion of a water right recognized under state law with a priority date before the date the Compact is ratified by the State and the Tribe, whichever date is later.

(a) Volume. 100 AFY of water may be used for fish and wildlife enhancement as a consumptive use measured by evaporative loss; provided that, the total surface acreage of impoundments shall not exceed 34 surface acres of impoundments in the Camp and Duck Creek drainages. The Tribe shall have the right to continuously store water in these impoundments.

(b) Source. The 100 AFY for fish and wildlife enhancement may come from the direct flow of Camp and Duck Creeks.

(c) Place of use. The Tribal Water Right for fish and wildlife enhancement may be used in the areas shown in Appendix 4 in the Camp and Duck Creek drainages, in the drainage of origin.

4. Gorman Creek Drainage - 60 AFY diversion.

a. Quantification - Source, Volume. The Tribe shall have the right to use or permit the use of 60 AFY of water from the following sources where they occur on the Reservation in any combination up to the limits on each source and the total limit of 60 AFY.

(1) Direct Flow. Of the 60 AFY, the Tribe shall have the right to divert or use or permit the diversion or use of up to 60 AFY from Gorman Creek and its tributaries.

(2) Storage. The Tribe shall have the right to store water for stockwatering and fish and wildlife enhancement purposes as set forth in Sections A.4.e.(1) and (2) of Article III.

b. Priority Date. The water rights to surface flow, groundwater, and storage, as set forth in Section A.4. of Article III, for the Gorman Creek drainage shall have a priority date of September 7, 1916, subject to the subordination agreements set forth in Section A.8. of Article IV, and the drainage stipulations set forth in Appendix 2.

c. Period of use. The period of use of this water right shall be from January 1 through December 31 of each year.

d. Points and means of diversion. Subject to the terms and conditions set forth in Article IV, the Tribe may divert or permit the diversion of this water right from any place and by any means in the Gorman Creek drainage on the Reservation.

e. Purposes. The Tribe's right to 60 AFY in the Gorman Creek drainage may be used for the following purposes; provided that, the Tribe may not make a change in use or transfer that results in a change in the place of use, point of diversion or place or means of storage to a place outside the drainage of origin or to a place from upstream of to downstream of, or from downstream of to upstream of the location of the point of diversion of a water right recognized under state law with a priority date before the date the Compact is ratified by the State and the Tribe, whichever date is later.

(1) Stockwatering - Evaporative Loss. Use of the Tribal Water Right for stockwatering in Gorman Creek drainage is a consumptive use. The Tribe may not make a change in use or transfer of the water right for stockwatering; provided that, the Tribe may repair or relocate an impoundment for stockwatering within the drainage of origin; and provided further that, the new point of diversion or place of use does not change to a place from upstream of to downstream of, or from downstream of to upstream of the location of the point of diversion of a water right recognized under state law with a priority date before the date the Compact is ratified by the State and the Tribe, whichever date is later.

(a) Volume. 10 AFY of water in the Gorman Creek drainage may be used for stockwatering as a consumptive use measured by evaporative loss; provided that, the total surface acreage of impoundments shall not exceed 3 surface acres of impoundments in the Gorman Creek drainage. The Tribe shall have the right to continuously store water in these impoundments.

(b) Source. The 10 AFY for stockwatering may come from the direct flow of Gorman Creek. Water for stockwatering may not be diverted from a perennial stream for off-stream storage other than for a lined storage facility with a capacity of less than 0.5 AF.

(c) Place of use. The Tribal Water Right for stockwatering in the Gorman Creek drainage may be used in the drainage of origin, on the Reservation. The current stockwater impoundments are shown in Appendix 7.

(2) Fish and Wildlife Enhancement - Evaporative Loss. Use of the Tribal Water Right for fish and wildlife enhancement in the Gorman Creek drainage is a consumptive use. The Tribe may not make a change in use or transfer of the Tribal Water Right for fish and wildlife enhancement; provided that, the Tribe may repair or relocate an impoundment for fish and wildlife enhancement within the drainage of origin; and provided further that, the new point of diversion or place of use does not change to a place from upstream of to downstream of, or from downstream of to upstream of the location of the point of diversion of a water right recognized under state law with a priority date before the date the Compact is ratified by the State and the Tribe, whichever date is later.

(a) Volume. 50 AFY of water may be used for fish and wildlife enhancement as a consumptive use measured by evaporative loss; provided that, the total surface acreage of impoundments shall not exceed 17 surface acres of impoundments in the Gorman Creek drainage. The Tribe shall have the right to continuously store water in these impoundments.

(b) Source. The 50 AFY for fish and wildlife enhancement may come from the direct flow of Gorman Creek.

(c) Place of use. The Tribal Water Right for fish and wildlife enhancement may be used in the areas shown in Appendix 4 in the Gorman Creek drainage, in the drainage of origin.

5. Upper Big Sandy Creek Drainage - 290 AFY diversion.

a. Quantification - Source, Volume. The Tribe shall have the right to use or permit the use of 290 AFY of water from the following sources where they occur on the Reservation in any combination up to the limits on each source and the total limit of 290 AFY.

(1) Direct Flow. Of the 290 AFY, the Tribe shall have the right to divert or use or permit the diversion or use of up to 240 AFY from the direct flow of Upper Big Sandy Creek and its tributaries;

(2) Storage. The Tribe shall have the right to store water for stockwatering and fish and wildlife enhancement purposes as set forth in Sections A.5.e.(3) and (4) of Article III.

(3) Groundwater. Of the 290 AFY, the Tribe shall have the right to withdraw and use or permit the withdrawal and use of up to 50 AFY of groundwater in the Upper Big Sandy Creek drainage including groundwater that is hydrologically connected to surface water, in compliance with Section A.6.a. and b. of Article IV.

b. Priority Date. The water rights to surface flow, groundwater, and storage, as set forth in Section A.5. of Article III, for the Upper Big Sandy Creek drainage shall have a priority date of September 7, 1916, subject to the subordination agreements set forth in Section A.8. of Article IV, and the drainage stipulations set forth in Appendix 2.

c. Period of use. The period of use of this water right shall be from January 1 through December 31 of each year.

d. Points and means of diversion. The Tribe may divert or permit the diversion of this water right from any place and by any means in the Upper Big Sandy Creek drainage on the Reservation; provided that, the Tribe may not construct or permit the construction of a diversion or diversions with a total capacity in excess of 100 gpm for the irrigation water right with a source on Upper Big Sandy Creek Drainage. This diversion limit also applies to any change(s) of use of this right.

e. Purposes. The Tribe's right to 290 AFY in the Upper Big Sandy Creek drainage may be used for the following purposes; provided that, the Tribe may not make a change in use or transfer that results in a change in the place of use, point of diversion or place or means of storage to a place outside the drainage of origin, or to a place upstream of to downstream of, or from downstream of to upstream of the location of the point of diversion of a water right recognized under state law with a priority date before the date the Compact is ratified by the State and the Tribe, whichever date is later.

(1) Non-Irrigation.

(a) Volume. 50 AFY of water in the Upper Big Sandy Creek drainage may be used for non-irrigation purposes.

(b) Source. The 50 AFY for non-irrigation purposes may come from groundwater, including groundwater that is hydrologically connected to surface water, in the Upper Big Sandy Creek drainage on the Reservation.

(c) Place of use. The 50 AFY for non-irrigation purposes may be used on the Reservation within the drainage of origin.

(2) Irrigation.

(a) Volume. 45 AFY of water in the Upper Big Sandy Creek drainage may be used for irrigation.

(b) Source. The 45 AFY for irrigation may come from direct flow of Upper Big Sandy Creek on the Reservation.

(c) Place of use. The 45 AFY may be used to irrigate 10 acres in the drainage of origin, on the Reservation.

(3) Stockwatering - Evaporative Loss. Use of the Tribal Water Right for stockwatering in Upper Big Sandy Creek drainage is a consumptive use. The Tribe may not make a change in use or transfer of the water right for stockwatering; provided that, the Tribe may repair or relocate an impoundment for stockwatering within the drainage of origin; and provided further that, the new point of diversion or place of use does not change to a place from upstream of to downstream of, or from downstream of to upstream of the location of the point of diversion of a water right recognized under state law with a priority date before the date the Compact is ratified by the State and the Tribe, whichever date is later.

(a) Volume. 45 AFY of water in the Upper Big Sandy Creek drainage may be used for stockwatering as a consumptive use measured by evaporative loss; provided that, the total surface acreage of impoundments shall not exceed 15 surface acres of impoundments in the Upper Big Sandy Creek drainage. The Tribe shall have the right to continuously store water in these impoundments.

(b) Source. The 45 AFY for stockwatering may come from the direct flow of Upper Big Sandy Creek. Water for stockwatering may not be diverted from a perennial stream for off-stream storage other than for a lined storage facility with a capacity of less than 0.5 AF.

(c) Place of use. The Tribal Water Right for stockwatering in the Upper Big Sandy Creek drainage may be used in the drainage of origin, on the Reservation. The current stockwater impoundments are shown in Appendix 7.

(4) Fish and Wildlife Enhancement - Evaporative Loss. Use of the Tribal Water Right for fish and wildlife enhancement in Upper Big Sandy Creek drainage is a consumptive use. The Tribe may not make a change in use or transfer of the Tribal Water Right for fish and wildlife enhancement; provided that, the Tribe may repair or relocate an impoundment for fish and wildlife enhancement within the drainage of origin; and provided further that, the new point of diversion or place of use does not change to a place from upstream of to downstream of, or from downstream of to upstream of the location of the point of diversion of a water right recognized under state law with a priority date before the date the Compact is ratified by the State and the Tribe, whichever date is later.

(a) Volume. 150 AFY of water may be used for fish and wildlife enhancement as a consumptive use measured by evaporative loss; provided that, the total surface acreage of impoundments shall not exceed 50 surface acres of impoundments in the Upper Big Sandy drainage. The Tribe shall have the right to continuously store water in these impoundments.

(b) Source. The 150 AFY for fish and wildlife enhancement may come from the direct flow of Upper Big Sandy Creek.

(c) Place of use. The Tribal Water Right for fish and wildlife enhancement may be used in the areas shown in Appendix 4 in the Upper Big Sandy Creek drainage, in the drainage of origin.

B.

Basin 40J: Beaver Creek Basin - 740 AFY diversion - 260 AFY net depletion - 665 AF continuous storage

1. Quantification - Source - Volume.

a. Storage. The Tribe shall have the right to continuously store, or permit the continuous storage in East Fork Reservoir of up to a capacity of 665 AF from the natural flow of the East Fork of Beaver Creek. Subject to the 665 AF limit on storage capacity, the Tribe shall have the additional right to divert up to 390 AFY from the direct flow of the West Fork of Beaver Creek for storage in East Fork Reservoir as set forth in Section B.1.b. of Article III. The quantity impounded by continuous storage of the East Fork of Beaver Creek, shall not decrease the 390 AFY, which the Tribe has a right to divert from storage in East Fork Reservoir for non-irrigation purposes allowed in Section B.5. of Article III;

provided that, the limit of 260 AFY on net depletion shall apply. In addition to the storage right set forth in this section, the Tribe shall have the right to store water for stockwatering and fish and wildlife enhancement purposes as set forth in Sections B.5.b. and c. of Article III.

b. Diversion. The Tribe shall have the right to divert 740 AFY of water in the Beaver Creek drainage from a combination of direct flow, storage and groundwater where they occur on the Reservation up to the limits on each source and the total limit of 740 AFY.

(1) Direct Flow. Of the 740 AFY, the Tribe shall have the right to divert or permit the diversion of up to 540 AFY from the direct flow of Beaver Creek and its tributaries on the Reservation. 390 AFY of the water from direct flow may be diverted to storage prior to application to any purposes allowed in Section B.5. of Article III without reducing the amount that can be applied to those purposes until such water is re-diverted from storage and applied to such purposes.

(2) Storage. The Tribe shall have the right to divert 390 AFY for non-irrigation purposes from water stored in East Fork Reservoir. The right to divert 390 AFY from the West Fork of Beaver Creek to storage is not reduced by the amount of water diverted for non-irrigation purposes from water derived from storage.

(3) Groundwater.

(a) Of the 740 AFY, the Tribe shall have the right to withdraw and use or permit the withdrawal and use of up to 120 AFY of groundwater including groundwater that is hydrologically connected to surface water in the Beaver Creek drainage in compliance with Section A.6.a. of Article IV. Groundwater may be diverted to storage prior to application to any purposes allowed in Section B.5. of Article III without reducing the amount that can be applied to these purposes until such water is re-diverted and applied to such purposes.

(b) Of the 740 AFY, the Tribe shall have the right to withdraw and use or permit the withdrawal and use of an additional 200 AFY of groundwater from the volcanic bedrock aquifer and other aquifers that are not hydrologically connected to surface water in the Beaver Creek drainage in compliance with Section A.6.a. of Article IV. The limit of 260 AFY on net depletion set forth in Section B.1.a.(2) of Article III, shall not apply to groundwater use pursuant to this section. Groundwater may be diverted to storage prior to application to any purposes allowed in Section B.5. of Article III without reducing the amount that can be applied to these purposes until such water is re-diverted and applied to such purposes.

c. Net Depletion. Of the 740 AFY diverted, the Tribe shall have a right to a net depletion of 260 AFY in the Beaver Creek drainage. The calculation of net depletion shall not include evaporative loss from fish and wildlife habitat, from stockwatering, or from East Fork Reservoir, and use of groundwater that is not hydrologically connected to surface water.

2. Priority Date. The water rights to surface flow, groundwater, and storage, as set forth in Section B. of Article III, for the Beaver Creek drainage shall have a priority date of September 7, 1916, subject to the subordination agreements set forth in Section A.8. of Article IV, and the drainage stipulations set forth in Appendix 2.

3. Period of use. The period of use of this water right shall be from January 1 through December 31 of each year.

4. Points and means of diversion. Subject to the terms and conditions set forth in Article IV, the Tribe may divert or permit the diversion of this water right from any place and by any means in the Beaver Creek drainage on the Reservation.

5. Purposes. The Tribe's right to water in the Beaver Creek drainage may be used for the following purposes; provided that, subject to the limitations set forth in Article IV, the Tribe may make a change in use or transfer of the water identified for non-irrigation purposes.

a. Non-Irrigation

(1) Volume. 590 AFY of water in the Beaver Creek drainage may be used for non-irrigation purposes; provided that, the net depletion may not exceed 260 acre-feet per year in accordance with Section B.1.c. of Article III.

(2) Source. The 590 AFY for non-irrigation in the Beaver Creek drainage may come from a combination of direct flow, storage and groundwater.

(3) Place of use. The 590 AFY for non-irrigation may be used in the Beaver Creek drainage on the Reservation.

b. Stockwatering - Evaporative Loss. Use of the Tribal Water Right for stockwatering in the Beaver Creek drainage is a consumptive use. The Tribe may not make a change in use or transfer of the water right for stockwatering; provided that, the Tribe may repair or relocate an impoundment for stockwatering within the drainage of origin; and provided further that, the new point of diversion or place of use does not change to a place from upstream of to downstream of, or from downstream of to upstream of the location of the point of diversion of a water right recognized under state law with a priority date before the date the Compact is ratified by the State and the Tribe, whichever date is later.

(1) Volume. 40 AFY of water in the Beaver Creek drainage may be used for stockwatering as a consumptive use measured by evaporative loss; provided that, the total surface acreage of impoundments shall not exceed 13 surface acres of impoundments in the Beaver Creek drainage. The Tribe shall have the right to continuously store water in these impoundments.

(2) Source. The 40 AFY for stockwatering may come from the direct flow of Beaver Creek on the Reservation. Water for stockwatering may not be diverted from a perennial stream for off-stream storage other than for a lined storage facility with a capacity of less than 0.5 AF.

(3) Place of use. The Tribal Water Right for stockwatering in the Beaver Creek drainage may be used in the drainage of origin, on the Reservation. The current stockwater impoundments are shown in Appendix 7.

c. Fish and Wildlife Enhancement - Evaporative Loss. Use of the Tribal Water Right for fish and wildlife enhancement in the Beaver Creek drainage is a consumptive use. The Tribe may not make a change in use or transfer of the Tribal Water Right for fish and wildlife enhancement; provided that, the Tribe may repair or relocate an impoundment for fish and wildlife enhancement within the drainage of origin; and provided further that, the new point of diversion or place of use does not change to a place from upstream of to downstream of, or from downstream of to upstream of the location of the point of diversion of a water right recognized under state law with a priority date before the date the Compact is ratified by the State and the Tribe, whichever date is later.

(1) Volume. 110 AFY of water may be used for fish and wildlife enhancement as a consumptive use measured by evaporative loss; provided that, the total surface acreage of impoundments shall not exceed 35 surface acres of impoundments in the Beaver Creek drainage. The Tribe shall have the right to continuously store water in these impoundments.

(2) Source. The 110 AFY for fish and wildlife enhancement may come from the direct flow of Beaver Creek.

(3) Place of use. The Tribal Water Right for fish and wildlife enhancement may be used in the areas shown in Appendix 4 in the Beaver Creek drainage, in the drainage of origin.

C. Additional Development of Water.

In addition to the water rights specifically set forth in Sections A. and B. of Article III, the Tribe may develop water from the following sources:

1. Subject to Sections A.6.a. and b. and Section A.7.d. of Article IV, the Tribe may, as part of the Tribal Water Right, develop or permit the development of groundwater on the Reservation in addition to the amounts specified in Sections A. and B. of Article III, from new sources or from expanded use of existing sources. The priority date of such new appropriation shall be the date of development, and notwithstanding any other provision of this Compact, may only be used in priority with other water rights.

2. The Tribe may impound or permit the impoundment of surface water for stockwatering purposes in addition to the amounts set forth in Sections A. and B. of Article III; provided that the priority date of the new appropriation shall be the date of development and, notwithstanding any other provision of this Compact, may only be used in priority with other water rights; and further provided that, the maximum capacity of the impoundment or pit is less than 15 AF and the appropriation is less than 30 AFY and is from a source other than a perennial flowing stream. The Tribe may not transfer or make a change in use of the stockwater right obtained pursuant to this section.

3. On the acquisition of land after the Compact is ratified by the State and the Tribe, whichever date is later, the Tribe has the right to the use of any water right acquired as an appurtenance to the land. Such right shall become part of the Tribal Water Right in addition to the amount set forth in Article III of this Compact and shall be subject to the terms of this Compact; provided that, the right shall retain the priority date of the acquired right. The Tribe will notify DNRC of any acquisition of water in the Tribe's annual report and will identify the water right acquired.

4. The Tribe shall be entitled to use any new reserved water rights that may be created with acquisition of land after the Compact is ratified by the State and the Tribe, whichever date is later; provided that, in any drainage with a moratorium on new state permits pursuant to Section A.7.a. of Article IV, the Tribe shall defer exercise of new reserved water rights, if any, until the moratorium is lifted at which time the Tribe has the first right to use the excess water in accordance with Section A.7.b. of Article IV. The priority date of the excess water shall be the date of acquisition of the land.

5. After the ratification date of the Compact, the Tribe shall have the right to acquire off-Reservation water rights separate from acquisition of the land to which such water rights are appurtenant; provided that, water from the Tribal Water Right is not available for economic or other

reasons; and provided further that, the rights shall retain the priority date held by the prior owner of the rights. Such rights shall become part of the Tribal Water Right and shall thereby become subject to Sections A.4.b.(1) and (2) of Article IV.

6. As a part of the Tribal Water Right, the Tribe shall be entitled to an allocation of 10,000 AFY of stored water in Lake Elwell, measured at the dam, for use or disposition by the Tribe for any beneficial purpose, either on or off the Reservation, pursuant to the terms of this Compact; provided that, such allocation shall be in accordance with the terms and conditions of any Act of Congress ratifying this Compact. This allocation is subject to the prior reserved water rights, if any, of any other Indian tribe, or of persons holding such reserved water rights through that tribe or through the United States. Any use or disposition of water from Lake Elwell off the Reservation by the Tribe is subject to the specific provisions relating to such use or disposition in any act of Congress ratifying this Compact.

D. Proposed Decree.

For purposes of entry in the Montana Water Court, the proposed decree of the Tribal Water Right set forth in Article III and Section A.8. of Article IV is attached as Appendix 1.

ARTICLE IV - IMPLEMENTATION OF TRIBAL WATER RIGHT

A. General Provisions.

1. Trust Status of Tribal Water Right. The Tribal Water Right shall be held in trust by the United States for the benefit of the Tribe.

2. Tribal Water Right: Administration. Subject to the limitations imposed by this Compact and other federal law, the use of the Tribal Water Right shall be administered by the Tribe through the TWRD both on and off of the Reservation. Disputes, not within the jurisdiction of the Compact Board set forth in D.4. of Article IV, concerning off-Reservation use of the Tribal Water Right which raise issues concerning the application of state or federal law shall be resolved in a court of competent jurisdiction. Those disputes concerning off-Reservation use of the Tribal Water Right which do not raise issues concerning the application of state or federal law will be within the exclusive jurisdiction of the Tribe. Subject to the limitations imposed by this Compact, the Tribe shall have the final and exclusive jurisdiction to resolve all disputes concerning the Tribal Water Right between users of the Tribal Water Right. The TWRD will, among other activities, develop policies and procedures for monitoring water use, diversions, and maintaining records of water use and development consistent with this Compact. The current and future water use and diversions will be identified by location and quantity. Final storage capacities will be based on project as-built plans, and will store no more than the water right set forth in Article III of this Compact. Administration and enforcement of the Tribal Water Right shall be pursuant to a Tribal water code, which shall be developed and adopted by the Tribe within two (2) years following the ratification date of this Compact pursuant to any requirements set forth in the Constitution of the Chippewa Cree Tribe. Pending the adoption of the Tribal water code, the administration and enforcement of the Tribal Water Right shall be by the Secretary of the Interior.

3. Use.

a. Persons Entitled to Use the Tribal Water Right. The Tribal Water Right may be used by the Tribe, or persons authorized by the Tribe.

b. Effect of Non-Use of Tribal Water Rights. Except as specifically provided herein, state law doctrines relating to the use of water rights, including but not limited to relinquishment, forfeiture or abandonment, do not apply to the Tribal Water Right. Thus, non-use of all or any of the Tribal Water Right described in Article III shall not constitute a relinquishment, forfeiture or abandonment of such rights.

4. Change in Use or Transfer.

a. On-Reservation Changes in Use or Transfer of the Tribal Water Right. Unless otherwise stated in this Compact, the Tribe may make a change in use or transfer of a water right set forth in Article III of this Compact on the Rocky Boy Reservation, including the use of water salvaged through the application of water-saving methods to expand irrigation, provided that:

(1) for each source quantified in Article III, any change in use or transfer shall not result in uses that exceed the water amount quantified for that source;

(2) any change in use or transfer shall not result in an increase in net depletion in the Beaver Creek drainage in excess of the amount specified for that source;

(3) any change in use or transfer shall not have an adverse effect on a water right recognized under state law with a priority date before the date of the change or transfer provided that for change in use or transfer of groundwater, the burden as to adverse effect shall be as set forth in Section A.6. of Article IV; and

(4) any change in use or transfer shall not change the source of the water involved in any such changes.

(5) The Tribe may not make a change in use or transfer of any water rights set forth in Article III for the purposes of stockwatering or fish and wildlife enhancement; provided that, the Tribe may repair or relocate an impoundment for stockwatering or fish and wildlife enhancement within the drainage of origin; and provided further that, the new point of diversion or place of use does not change to a place from upstream of to downstream of, or from downstream of to upstream of the location of the point of diversion of a water right recognized under state law with a priority date before the date the Compact is ratified by the State and the Tribe, whichever date is later.

(6) The Tribe may not make a change in use or transfer any of the water rights set forth in Article III with a source on the drainages of Upper Big Sandy Creek, Camp Creek, Duck Creek and Gorman Creek that results in a change in the place of use, point of diversion or place or means of storage of the water outside the drainage of origin or to a place from upstream of to downstream of, or from downstream of to upstream of the location of the point of diversion of a water right recognized under state law with a priority date before the date the Compact is ratified by the State and the Tribe, whichever date is later.

(7) The Tribe may make a change in use or transfer of the irrigation water right with a source in Upper Big Sandy Creek drainage as set forth in Section A.5.e. of Article III so long as it does so within the diversionary limits set forth in Section A.5.d. of Article III; provided that, the net depletion shall not exceed 30 AFY.

b. Off-Reservation Changes in Use or Transfer of the Tribal Water Right. Except as may be otherwise provided in this Compact, the Tribe, pursuant to federal law, may make or permit a change in use or a transfer of the Tribal Water Right for use off the Reservation; provided that, any transfer shall be for a term of not to exceed 100 years, and may include provisions authorizing renewal for an additional term of not to exceed 100 years; and provided further that, no such transfer shall be a permanent alienation of the water transferred; and provided further that, no transfer or change in place of use shall be made to a location outside the watershed that forms the Missouri River drainage; and provided further that, if the Tribe receives a good faith offer from a third person from outside the Milk River drainage to acquire use of specified Tribal water rights and the Tribe is willing to accept the terms of the offer, the Tribe, before accepting the offer, shall allow water users in the Milk River drainage the opportunity to acquire use of such rights at the same price and on the same terms and conditions as those contained in the offer. Any change in use or transfer of any such water right involving a point of diversion or place of use located off the Reservation shall be considered an off-Reservation use; provided that, any off-Reservation use of Tribal water rights described in this Compact shall not be deemed to convert such rights to rights arising under state law, and nonuse of such rights off the Reservation shall not constitute a relinquishment, forfeiture, or abandonment of the rights; and provided further that, releases or diversions from Lake Elwell for use on the Reservation shall not be considered off-Reservation uses. The Tribe may change the point of diversion or purpose or place of use of the Tribal Water Right back to the Reservation without reduction in the amount of water provided in the Compact.

(1) Applicable Law. No person may initiate an off-Reservation use, change in use, or transfer of a Tribal water right set forth in this Compact without first applying for and receiving authorization for the use, change in use, or transfer pursuant to Montana law in effect at the time of the application. Approval of an application for a use, change in use or transfer off the Reservation by the State shall be conditioned on a valid Tribal permit for such use, change in use or transfer by the Tribe. The applicant shall provide DNRC with proof of a valid Tribal permit prior to initiating the use, change in use, or transfer.

(2) Diversion Facilities. With respect to diversion or transportation facilities located off the Reservation which are to be used in connection with the exercise of a water right set forth in this Compact, the Tribe or persons using such water rights shall apply for all permits, certificates, variances and other authorizations required by state laws regulating, conditioning or permitting the siting, construction, operation, alteration or use of any equipment, device, facility or associated facility proposed to use or transport water. A diversion or use of water in the exercise of such water rights may be made only after all permits, certificates, variances or other authorizations applied for pursuant to this paragraph have been obtained.

(3) Subsequent Federal or State Law. All off-Reservation uses of Tribal water rights set forth in this Compact shall comply with the requirements set forth in Section A.4.b.(1) and (2) of Article IV until such time as the statutory or common law of the United States or the State of Montana establish that off-Reservation uses of Indian water rights may occur without regard to state law.

c. Placement and Size Survey. Placement and size of stockwater impoundments and fish and wildlife enhancement areas shall be surveyed by the TWRD every five (5) years commencing one (1) year after the ratification date of this Compact. The initial survey method shall be through use of data obtained by aerial photography or an acceptable quantitative substitute with accuracy and verification

equal to or greater than photography. The method may be modified by agreement between the TWRD and the DNRC. Such modification is pursuant to and shall not be deemed a modification of this Compact. The TWRD shall provide the DNRC with a completed survey for review within six (6) months of initiation of the survey.

d. Net Depletion Table. Net depletion for Tribal water uses in the Beaver Creek drainage and for irrigation uses in the Upper Big Sandy Creek drainage shall be as set forth in the table attached as Appendix 9 to this Compact. The TWRD and the DNRC may jointly agree to modify this initial table. Such modification is pursuant to, and will not be deemed a modification of, this Compact.

5. Reporting requirements.

a. On an annual basis the DNRC shall provide the Tribe and the United States with a listing of all new uses of surface and groundwater for which a permit has been issued by the DNRC in the Big Sandy and Beaver Creek drainages, and of any change in use or transfer of surface water or groundwater approved by the DNRC in the Big Sandy and Beaver Creek drainages since the last report.

b. On an annual basis the TWRD shall provide the State and the United States with a listing of all new development of the water rights described in this Compact, the net depletion in the Beaver Creek drainage, and the net depletion for irrigation in the Upper Big Sandy Creek drainage, and of all changes in use or transfers of the water rights described in this Compact since the last report. The first report by the TWRD following adoption of a Tribal Water Code shall include a listing of existing uses.

c. The TWRD, the DNRC, and the United States may agree to modify the reporting requirements set forth in subsections a. and b. of this section. Such modification is pursuant to, and will not be deemed a modification of, this Compact.

6. Groundwater.

a. New Groundwater Development Without Adverse Effect.

(1) Limits on Additional Development of Groundwater from Sources on the Reservation. After the ratification date of this Compact, the Tribe may develop or permit the development of groundwater; provided that, such development is without an adverse effect on water rights recognized under state law with a priority date before the date of development of the new appropriation.

(2) Prerequisite Administrative Remedy. The following procedure for determining whether new development of groundwater will have an adverse effect on existing groundwater rights recognized under state law shall be followed prior to seeking relief from the Compact Board:

(a) Application for development of a groundwater use on the Reservation shall be made to the TWRD.

(b) The TWRD shall review the application and make a determination of whether the new use will have an adverse effect on existing water rights recognized under state law with a priority date before the application date. Upon request by the TWRD, the DNRC shall provide information on existing state water rights as recorded in the DNRC database to the TWRD.

(c) If the TWRD determines that the new development will have an adverse effect on a water right recognized under state law with a priority date before the application date, the TWRD shall deny the application. If the TWRD determines that the new development will not have an adverse effect on a water right recognized under state law with a priority date before the application date, the TWRD shall forward the application with its determination to the DNRC.

(d) If, based upon the evidence, DNRC agrees with the TWRD's determination, the application will be approved. If, however, based upon the evidence, the DNRC cannot agree with the determination of the TWRD, DNRC shall publish notice, of the application once in a newspaper of general circulation in the area of the source and shall serve notice by first-class mail on any appropriator of water or holder of a permit who, according to the records of the department, has a water right with a priority date before the application date, and may be affected by the proposed development.

(e) DNRC and the TWRD shall attempt to resolve any disagreement on the determination of no adverse effect by the TWRD on a cooperative basis. If the DNRC or a holder of a water right recognized under state law with a priority date before the application date disagree with the determination of no adverse effect, DNRC or the water users may seek relief from the Compact Board.

(f) In any proceeding concerning the effect of new groundwater development on the Reservation either before the TWRD, the DNRC, or before the Compact Board, the following shall apply:

(i) 1 - 150 Feet Wells: For new Tribal groundwater wells completed at a depth beneath the surface of 1 to 150 feet, the Tribe shall bear the burden of showing no adverse effect to groundwater uses recognized under state law with a priority date before the application date.

(ii) 150 Feet or Deeper Wells: For Tribal groundwater wells completed at a depth beneath the surface of 150 feet or deeper, the owner of a water right recognized under state law with a priority date before the application date shall bear the burden of showing any adverse effect to the water right.

b. Groundwater Development Exempt From The Showing Of No Adverse Effect. The following wells are exempt from the requirement of showing no adverse effect:

(1) Existing Tribal wells are exempt from the burden to show no adverse effect. The Tribe may develop existing wells, or replacements therefor, to their full capacity. The primary municipal and domestic wells are listed in Appendix 8. A comprehensive list of existing wells will be kept on file in TWRD offices as per the requirement to list existing uses in Section A.5. of Article IV.

(2) New Tribal groundwater wells producing from the Volcanic Bedrock Aquifer may be developed without a showing of no adverse effect.

c. Ancestral Missouri River Channel Aquifer. Groundwater from the Ancestral Missouri River Channel Aquifer shall be a primary source for non-irrigation uses; provided that, the non-irrigation uses do not result in discharge of untreated water to land or surface water. Groundwater from the Ancestral Missouri River Channel Aquifer is a supplemental source for irrigation uses.

7. Moratorium.

a. New State Permits. With the exceptions listed in subsection (1) of this section, the DNRC shall not process or grant an application for a permit to appropriate water from a source in the Big Sandy Creek Basin (excluding Sage Creek and Lonesome Lake Coulee), and in the Beaver Creek drainage after the date this Compact is ratified by the Montana Legislature and by the Chippewa Cree Business Committee, whichever date is later. This moratorium shall remain in effect for a minimum of 10 years and shall only be lifted pursuant to the procedures set forth in Section A.7.b of Article IV. This moratorium is not intended to apply to applications for change in appropriation under state law.

(1) The moratorium shall not apply to the following appropriations:

(a) an appropriation of groundwater by means of a well or developed spring with a maximum appropriation of 35 gallons per minute or less, not to exceed 10 acre-feet per year unless the appropriation is a combined appropriation from the same source from two or more wells or developed springs exceeding the limitation;

(b) an appropriation of water for use by livestock if the maximum capacity of the impoundment or pit is less than 15 acre-feet and the appropriation is less than 30 acre-feet per year and is from a source other than a perennial flowing stream;

(c) an appropriation of groundwater from any deep aquifer not hydrologically connected to surface water.

(2) Within 120 days following the date the moratorium takes effect, the DNRC shall publish notice of the moratorium once in a newspaper of general circulation in the area of the source and shall serve notice by first-class mail on all appropriators of water or holders of permits who, according to the records of the department, have a water right with a source in the affected drainages.

(3) The moratorium applies only to new permits issued under state law and is not a limit on new development of the Tribal Water Right as set forth in this Compact.

b. Lifting of Moratorium. After 10 years, the Tribe or an individual seeking to appropriate water in the affected drainages may petition the DNRC for removal of the moratorium, or the DNRC may initiate proceedings to lift a moratorium on its own initiative. The DNRC shall comply with the following procedure in making a determination as to whether water is available in excess of the Tribal Water Right and rights recognized under state law. The DNRC and TWRD may agree to modify procedures or provide additional procedures. Such modification is pursuant to and shall not be deemed to be a modification of the Compact.

(1) Proceedings initiated by TWRD.

(a) The TWRD shall have sixty (60) days following the filing of the petition requesting that the moratorium be lifted to provide the DNRC with data supporting its petition to lift the moratorium.

(b) Within sixty (60) days following the receipt of the data supporting TWRD's petition, the DNRC shall determine whether to lift the moratorium, and shall notify the TWRD of its determination and the grounds therefor. The TWRD shall be allowed reasonable access to any data relied upon by the DNRC for its determination.

(c) Within thirty (30) days following a determination by the DNRC not to lift the moratorium, the TWRD may challenge the DNRC's determination in a de novo proceeding before the Compact Board. The moratorium shall continue pending Compact Board proceedings and any appeal

(2) Proceedings initiated by DNRC.

(a) The DNRC may, on request by a water user or on its own initiative, commence proceedings to determine whether to lift a moratorium.

(b) The DNRC shall notify the TWRD of the commencement of proceedings to determine whether to lift the moratorium and shall submit to the TWRD all data in support of the proceedings at the same time or as soon after such data becomes available as practical or shall give the TWRD reasonable access to such data within the same time frame.

(c) The TWRD shall be given sixty (60) days following receipt of the data in support of the proceedings to submit to the DNRC a statement of the Tribe's position concerning the issue along with any supporting data and argument.

(d) The DNRC shall notify the TWRD of its determination and the grounds therefor within sixty (60) days of receipt of the Tribe's statement.

(e) Within thirty (30) days following a determination by the DNRC not to lift the moratorium, the TWRD may challenge the DNRC's determination in a de novo proceeding before the Compact Board. The moratorium shall continue pending Compact Board proceedings and any appeal.

c. Excess Water. If the moratorium is lifted pursuant to the procedure described in A.7.b. of Article IV, the Tribe shall have the first right to use the excess water for the purpose of fulfilling new reserved water rights, if any, on land acquired after the ratification date of this Compact, but before the date the moratorium is lifted. The excess water used by the Tribe shall become part of the Tribal Water Right and the tribe may make a change in use of, or transfer, including storage, of such water pursuant to Section A.4.a. of Article IV.

d. Limit on New Tribal Groundwater Development. In any drainage with a moratorium, new Tribal groundwater development pursuant to Section C.1. of Article III, by a well or developed spring from an aquifer that is hydrologically connected to surface water shall be limited to a maximum appropriation or combined appropriation from two or more wells or developed springs in a single drainage defined by this Compact to 35 gallons per minute or less, not to exceed 10 acre-feet per year.

8. Mutual Subordination. To reduce the need for daily administration of water use on and off the Reservation, water rights shall not be administered in priority, but shall be satisfied according to the following agreements.

a. Subordination to Non-Tribal Water Rights Upstream of the Reservation. The Tribal Water Right shall be subordinate to water rights recognized under state law upstream from any point on the Reservation with a priority date before the ratification date of this Compact. It is the intent of the parties that this subordination extends only to valid water rights, and not to statements of claim filed pursuant to **85-2-221**, MCA. With the exception of rights exempt from filing in the state adjudication pursuant to **85-2-222**, MCA, and rights exempt from the permit process pursuant to **85-2-306**, MCA, a list of rights as currently claimed is attached as Appendix 3. Appendix 3 will be modified by any final decree resolving claims on the affected drainages. Appendix 3 may be modified due to clerical error or omission.

b. Effect of Mitigation. Because the impact of development of the Tribal Water Right on downstream water rights recognized under State law has been mitigated by provisions of the Compact and by special measures set forth in drainage stipulations, any person claiming or holding a water right recognized under State law, or an interest in such water right, may not assert priority over, or make a call for, or claim any of the water rights of the Tribe set forth in this Compact, in any court, tribunal, or other forum.

9. Stockwatering Impoundments Limited by Surface Area. Except for new stock ponds developed under Section C.2. of Article III, the surface acreage limitations on stockwatering impoundments set forth in Article III shall be the measure of compliance with the quantification of water rights for the purpose of stockwatering.

10. Impoundments for the Purpose of Enhancing Fish and Wildlife Habitat.

a. Fish and Wildlife Enhancement Impoundments Limited by Surface Area. The surface acreage limitations on impoundments for the purpose of fish and wildlife enhancement set forth in Article III shall be the measure of compliance with the quantification of water rights for the purpose of fish and wildlife enhancement.

b. Limits on Structures. No structure for the purpose of fish and wildlife enhancement may create a potential high water line beyond the existing wet riparian habitat delineated as fish and wildlife enhancement zones on the map attached as Appendix 4.

11. Structures Mimic Natural Processes. No structure for the purpose of fish and wildlife enhancement, or new stockwatering impoundments on a perennial stream built after the ratification date of the Compact, excluding repair or replacement of existing structures, may stop the entire flow of surface water during filling of the impoundment. To accomplish this the Tribe shall build any structure to mimic natural processes by allowing water to flow through the structure, or bypass the structure during filling.

B. Big Sandy Creek Basin.

1. Operation of Bonneau Reservoir.

a. Minimum Pool / 240 AFY Stored for Satisfaction of Release. The minimum pool at Bonneau Reservoir shall be established by the Tribe. The Tribe shall store annually the minimum pool plus 240 acre-feet, if water is available. The 240 acre-feet above the minimum pool shall be stored to satisfy the release set forth in this Article and shall not be available to satisfy the Tribal Water Right. Evaporative loss shall be accounted for in setting the minimum pool and shall not be subtracted from the 240 acre-foot pool stored for downstream water users. Any change in use of the water stored in Bonneau Reservoir from irrigation to other purposes shall be without adverse effect on downstream water uses recognized under state law with a priority date before the date of change, and measures to prevent adverse effect may include release of additional water from Bonneau Reservoir.

b. Release for Off-Reservation Irrigation Use. The Tribe shall release no more than 104 AFY from Bonneau Reservoir or from direct flow of Box Elder Creek to satisfy the claims for irrigation water rights currently held by Bert Corcoran, and the Tribe shall deliver this water to a point of diversion specified in the drainage stipulation between the Tribe and Mr. Corcoran attached as part of Appendix 2; provided that, the Tribe shall have no responsibility to upgrade or to increase the capacity of the existing delivery system; and further provided that, the Tribe shall not be required to release water

from Bonneau Reservoir below the minimum pool established by the Tribe plus 240 acre-feet prior to satisfaction of the 240 acre-feet per year release set forth in Section B.1.c. of Article IV, and the minimum pool at all other times. The 104 AFY release shall be in accordance with a delivery schedule agreed to by Mr. Corcoran, or his successors in interest, and the TWRD. Mr. Corcoran's claims for irrigation water rights shall be specified in the drainage stipulation between the Tribe and Mr. Corcoran attached as part of Appendix 2. Nothing in the drainage stipulation or in this Compact shall affect any existing right that Mr. Corcoran may have to the use of on-Reservation conveyance and distribution systems to deliver this water.

c. 240 AFY Release. The Tribe shall annually release the first 240 acre-feet of water, as measured near the confluence of Box Elder Creek and Lower Big Sandy Creek, stored in Bonneau Reservoir above the minimum pool, at the request of the downstream irrigation water users as set forth below, for maintenance of instream flow and for domestic and stock purposes on Lower Big Sandy Creek. The 240 AF of water, once released, shall be designated as an instream flow and shall be senior to all Tribal diversions and all non-domestic and non-stockwater rights recognized under state law from the point of release to the confluence with the Milk River. The Tribe shall not divert from direct flow on Lower Big Sandy Creek between its confluence with Box Elder Creek and the Reservation boundary at Stoneman Farms, as that boundary exists on the effective date of this Compact, during release of the 240 AF of water to downstream water users in the months of July and August. A structure that will bypass the peak scheduled release will be constructed for any diversion of the Tribal Water Right upstream of the confluence of Big Sandy Creek with Gravel Coulee. Under no circumstances shall the Tribe be required to release more than 240 AFY of water to maintain instream flow and for domestic and stock purposes.

d. Schedule for 240 AFY. The method for determining the schedule of releases is as follows: Water users on Lower Big Sandy Creek with drainage stipulations listed in Appendix 2 shall elect a three member Bonneau Release Committee to determine the schedule of release for the 240 AFY. The Committee shall notify the DNRC which shall notify the TWRD by May 1st of each year of the requested schedule. The schedule shall not exceed the operating standards of Bonneau Reservoir or result in unreasonable interference of the Tribe's use of water stored in the Reservoir. If the TWRD does not receive notice by May 1 of any year, the TWRD shall release 2 cfs continuously for July and August in accordance with Section B.1.c. of Article IV. DNRC shall notify water users which, according to the records of the Department, have a water right recognized under state law with a source on Box Elder Creek, or on Big Sandy Creek between the confluence with Box Elder Creek and the confluence with the Milk River, that the release may not be diverted. After May 1, at the request of the Bonneau Release Committee, the DNRC shall request the Tribe to alter the rate of release and the Tribe may agree to comply. At the request of the Tribe, the DNRC shall request the Bonneau Release Committee to agree to forego the release, and if the Committee believes the purposes for the release as set forth in Section B.1.c. of Article IV are being satisfied without the release, the Committee may, in any year, agree to forego the release. When streamflow in lower Big Sandy Creek at the bypass structure referred to in Section B.1.c. of Article IV, exceeds the peak flow specified in the designated release schedule, such excess flow can be diverted by the Tribe, subject to the diversion limits designated in Article III.

e. Effective Date for Bonneau Reservoir Operational Plan. Notwithstanding ratification of this Compact by the parties, the operational plan for Bonneau Reservoir set forth in Sections B.1.a. through c. of Article IV, shall not become effective until completion of the enlargement of Bonneau Dam.

2. Water Use on Lower Big Sandy Creek Drainage.

a. 2 cfs Bypass at Stoneman Farms. Structures will be constructed at each point of diversion on Lower Big Sandy Creek which allow a minimum of 2 cfs of water flow from direct and return flow, if available, to pass year around from the most downstream diversion on the Reservation on Lower Big Sandy Creek. The 2 cfs shall be designated as an instream flow and shall be senior in priority to Tribal diversions and all non-domestic and non-stockwatering water rights recognized under state law with a point of diversion between the bypass and the confluence with the Milk River. When streamflow in Lower Big Sandy Creek exceeds 2 cfs outside the scheduled 240 AF release period, such excess flow can be diverted by the Tribe subject to diversion limits designated in Article III.

b. Water Quality Issues.

(1) Monitoring Wells. Within one year following the effective date of this Compact, a monitoring well network adequate to detect saline seep shall be installed to depths no greater than 30 feet near the proposed Enlarged Stoneman Reservoir site shown in Appendix 6. The location of the wells will be established by TWRD and DNRC (or its representative) and groundwater level and quality shall be measured on a quarterly basis to establish baseline conditions.

(2) Water Quality Monitoring Before Construction. Within one year following the effective date of this Compact, a surface water quality network will be established by TWRD and DNRC and quarterly sampling continued for a sufficient period of time to establish the water quality baseline conditions referred to above, adjacent to and below the Stoneman Farms project. The results of the baseline analysis will be used to establish a threshold value for water quality degradation associated with salinity which will trigger the requirement for more extensive study.

(3) Water Quality Monitoring After Construction. After construction of the Stoneman Reservoir enlargement, monitoring of the wells and surface water quality will be resumed to evaluate changes in water quality. If salinity measurements result in a trend of increasing salinity on a sustained basis over a reasonable period of time, the TWRD or DNRC may petition the Compact Board to appoint a technical expert to conduct an analysis to identify the causes of the increasing salinity and recommend appropriate remedies. The analysis and recommendations may include sources of salinity off the Reservation.

(4) Remedies. The results of the analysis shall be submitted to the DNRC and to the TWRD which shall make a joint effort to resolve the degradation issue based on the analyses. If the analysis includes sources of salinity off the Reservation, the DNRC shall assist the TWRD in obtaining reasonable access onto the land off the Reservation for the purpose of observation. If the DNRC and the TWRD, are unable to resolve the issue within 30 days through joint effort, the DNRC, the TWRD, or any affected water user, may petition the Compact Board for relief. The Compact Board shall have jurisdiction over any contributor to the salinity problem and shall fashion its remedy in a manner proportionate to the causes contributing to the problem. The remedy fashioned by the Compact Board

for salinity problems shall be limited to issuance of an order to cease and desist the practice or practices leading to the salinity problems. The remedies set forth in this section shall be in addition to any remedies or water quality standards provided for under other applicable law.

C. Beaver Creek Drainage.

1. Moratorium on Tribal Consumptive Uses. For a period of five years following the ratification date of the Compact, there shall be a moratorium on the development of Tribal consumptive uses from surface water in the Beaver Creek drainage. During this moratorium, a monitoring network consisting of three continuous recording stations will be installed and the resulting data analyzed to determine if Beaver Creek gains or loses flow between the confluence of East and West Fork and the Reservation boundary. Location of the three gages shall be:

- (1) the West Fork of Beaver Creek at the location the Tribe intends to divert water to the East Fork;
- (2) the confluence of the East and West Forks of Beaver Creek; and
- (3) the Reservation boundary at the most downstream point on Beaver Creek. A staff gage shall also be installed in East Fork Reservoir following enlargement of the Reservoir.

2. Development of Management Plan. Based on the results of the five years of gage data on Beaver Creek, the Tribe and the Montana Department of Fish, Wildlife and Parks shall work cooperatively to develop a fishery and recreational management plan. The plan may include modifications in minimum instream flows set forth in Section C.3. of Article IV. Such modification is pursuant to, and will not be deemed a modification of, this Compact. The management plan is not binding on any party and shall not be used to modify minimum instream flows until it is approved by the Tribe and the Montana Department of Fish, Wildlife and Parks.

3.

Operation of East Fork Reservoir Following Enlargement and Pending Adoption of a Management Plan.

During the moratorium imposed by Section C.1. of Article IV, or pending adoption of the management plan authorized by Section C.2. of Article IV, East Fork Reservoir may be enlarged; provided that,

a. The enlarged Reservoir shall be used only for recreational purposes during the five year moratorium. However, after the five year moratorium period and pending adoption of the management plan, the enlarged Reservoir may be utilized for multiple purposes, but remains subject to the limitations set forth under Sections C.3.b., c., and d. of Article IV.

b. Any surface water diversion from the West Fork of Beaver Creek and its tributaries on the Reservation to the East Fork of Beaver Creek shall include a structure which allows a minimum of 1 cfs of water flow from direct and return flow, if available, to pass year around; provided that, the storing of water in East Fork Reservoir from the East Fork of Beaver Creek shall not be considered a diversion for the purposes of this provision.

c. For the drainage area below the confluence of the East and West Forks of Beaver Creek to the northern Reservation boundary, any surface water diversion from Beaver Creek and its tributaries on the Reservation shall include a structure which allows a minimum of 1 cfs of water flow from direct

and return flow, if available, to pass year around; provided that, the storing of water in East Fork Reservoir from the East Fork of Beaver Creek shall not be considered a diversion for the purposes of this provision.

d. The Tribe shall release water from East Fork Reservoir to augment streamflow on Beaver Creek if the flow at the confluence of East and West Fork or below the most downstream diversion on the Reservation, whichever is the most downstream, falls below 1 cfs; provided that, the Tribe shall not be required to release water if the level of the enlarged Reservoir reaches or falls below the minimum pool; and provided further that, the Tribe shall not be required to release water if the flow at the Reservation boundary at the most downstream point on Beaver Creek exceeds 2 cfs.

4. Operation of East Fork Reservoir Prior to Enlargement. Prior to enlargement of East Fork Reservoir and pending adoption of the management plan authorized by Section C.2. of Article IV, the following diversionary constraints are in effect.

a. Any surface water diversion from the West and East Forks of Beaver Creek and its tributaries on the Reservation shall include a structure which allows a minimum of 1 cfs of water flow from direct and return flow, if available, to pass the structure year around.

b. For the drainage area below the confluence of the East and West Forks of Beaver Creek to the northern Reservation boundary, any surface water diversion from Beaver Creek and its tributaries on the Reservation shall include a structure which allows a minimum of 1 cfs of water flow from direct and return flow, if available, to pass year round.

D. Enforcement - Chippewa Cree-Montana Compact Board.

1. Establishment of Board. There is hereby established the Chippewa Cree-Montana Compact Board. The Board shall consist of three members: one member selected by the Governor of the State of Montana from up to six nominees, up to three nominated by the Commissioners of Chouteau County and up to three nominated by the Commissioners of Hill County; one member appointed by the Chippewa Cree Business Committee; and one member selected by the other two members. If the Governor fails to select a board member from the list of nominees, the Commissioners of Chouteau and Hill Counties may select the member. All members shall be appointed within six months of the ratification date of this Compact and within thirty days of the date any vacancy occurs. If an appointment is not timely made by the Governor or County Commissioners, the Director of DNRC or his/her designee shall fill the State's position. If an appointment is not timely made by the Chippewa Cree Business Committee, the Director of the TWRD or his/her designee shall fill the Tribe's position. Each member shall serve a five-year term and shall be eligible for reappointment. The initial term of each member shall be staggered with one member serving a five-year term, one a four-year term, and one a three-year term. The initial term of each member shall be chosen by lot. Expenses of the members appointed by the State and the Tribe shall be borne by the entity appointing the member. The expenses of the third member and all other expenses shall be borne equally by the Tribe and the State, subject to the availability of funds.

2. Membership. Should the two appointed members fail to agree on the selection of a third member within sixty days of the date of appointment of the second member, or within thirty days after any vacancy occurs, the following procedure shall be utilized:

a. Within five days thereafter each member shall nominate three persons to serve as a member of

the Board;

b. Within fifteen days thereafter each member shall reject two of the persons nominated by the other member;

c. Within five days thereafter, the remaining two nominees shall be submitted to the Dean of the University of Montana School of Law who shall select the third member from the two nominees.

3. Quorum and Vote Required. Two members of the Board shall constitute a quorum if reasonable notice of the time, place, and purpose of the meeting, hearing, or other proceeding has been provided in advance to the absent member. All Board decisions shall be by a majority of the Board, shall be in writing and, together with any dissenting opinions, shall be served on all parties in the proceeding before the Board, and on the parties to this Compact.

4. Jurisdiction of the Board. The Chippewa Cree-Montana Compact Board shall have jurisdiction to resolve controversies over the right to the use of water as between users of the Tribal Water Right and users of water rights recognized under state law including any contributor to a salinity problem. Such controversies shall include, but shall not be limited to, disputes as to the meaning of this Compact.

5. Pre-requisite Administrative Remedy.

a. Any non-tribal water user concerned that a new development or change in use of water by the Tribe is inconsistent with the Compact shall first contact the Havre Regional Office of the DNRC. If the DNRC and the TWRD are unable to resolve the issue in a reasonable time through discussion, DNRC, the water user, or the Tribe may seek relief through the Compact Board. The Tribe agrees to allow DNRC reasonable access onto Tribal land to observe the challenged development or change in use.

b. The Tribe or any tribal water user concerned that a new development or change in use or transfer of water by non-tribal water users is inconsistent with the Compact shall first contact the TWRD. If the TWRD and the DNRC are unable to resolve the issue in a reasonable time through discussion, the TWRD or the Tribal water user may seek relief through the Compact Board. The DNRC agrees to assist the TWRD in obtaining reasonable access onto the non-tribal water user's land to observe the challenged development or change in use or transfer.

c. The TWRD and the DNRC may jointly develop supplemental procedures as necessary or appropriate. Such supplemental procedures are pursuant to, and will not be deemed a modification of, this Compact.

6. Powers and Duties. The Board shall hold hearings upon notice in proceedings before it and shall have the power to administer oaths, take evidence and issue subpoenas to compel attendance of witnesses or production of documents or other evidence, and to appoint a technical expert for the purposes of Section B.2.b. of Article IV. The Tribe and the State shall enforce the Board's subpoenas in the same manner as prescribed by the laws of the Tribe and the State for enforcing a subpoena issued by the courts of each respective sovereign in a civil action. The parties to the controversy may present evidence and cross examine any witnesses. The Board shall determine the controversy and grant any appropriate relief, including a temporary order; provided that, the Board shall have no power to award money damages, costs, or attorneys fees. All decisions of the Board shall be by majority

vote and in writing. The Board shall adopt necessary rules and regulations to carry out its responsibilities within six months after its first meeting. All records of the Board shall be open to public inspection, except as otherwise ordered by the Board.

7. Review and Enforcement of Board Decisions.

a. Decisions by the Board shall be effective immediately, unless stayed by the Board. Unless otherwise provided by Congress, only the United States and parties to the proceedings before the Board may appeal any final decision by the Board to a court of competent jurisdiction within thirty (30) days of such decision. The hearing on appeal shall be a trial de novo. The notice of appeal shall be filed with the Board and served personally or by registered mail upon all parties to the proceeding before the Board.

b. Unless an appeal is filed within thirty (30) days of a final decision of the Board, as provided in Section D.7.a. of Article IV, any decision of the Board shall be recognized and enforced by any court of competent jurisdiction on petition of the Board, or any party before the Board in the proceeding in which the decision was made.

c. A court of competent jurisdiction in which a timely appeal is filed pursuant to Section D.7.a. of Article IV, or in which a petition to confirm or enforce is filed pursuant to Section D.7.b. of Article IV, may order such temporary or permanent relief as it considers just and proper.

d. Any appeal may be taken from any decision of the court in which a timely appeal is filed pursuant to Section D.7.a. of Article IV, or in which a petition to confirm or enforce is filed pursuant to Section D.7.b. of Article IV, in the manner and to the same extent as from orders or judgments of the court in a civil action.

e. In any appeal or petition to confirm or enforce the Board's decision, the Board shall file with the court the record of the proceedings before the Board within sixty (60) days of filing of a notice of appeal.

8. Waiver of Immunity. The Tribe and the State hereby waive their respective immunities from suit, including any defense the State shall have under the Eleventh Amendment of the Constitution of the United States, in order to permit the resolution of disputes under this Compact by the Chippewa Cree-Montana Compact Board, and the appeal or judicial enforcement of Board decisions as provided herein, except that such waivers of sovereign immunity by the Tribe or the State shall not extend to any action for money damages, costs, or attorneys' fees. The parties agree that only Congress can waive the immunity of the United States. The participation of the United States in the proceedings of the Compact Board shall be as provided by Congress.

ARTICLE V - DISCLAIMERS AND RESERVATIONS

A. No Effect on Tribal Rights or Other Federal Reserved Water Rights.

1. The relationship between the water rights of the Chippewa Cree Tribe described herein and any rights to water of any other Indian Tribe, or of any federally derived water right of an individual, or of the United States on behalf of such Tribe or individual shall be determined by the rule of priority.

2. Nothing in this Compact may be construed or interpreted in any manner to establish the nature, extent, or manner of administration of the rights to water of any other Indian tribes and tribal members of other Indian tribes.

3. Nothing in this Compact is otherwise intended to conflict with or abrogate a right or claim of an Indian Tribe other than the Chippewa Cree Tribe regarding its boundaries or property interests.

4. Nothing in this Compact may be construed or interpreted in any manner to establish the nature, extent, or manner of administration of the rights to water of any other federal agency or federal lands other than those of the Chippewa Cree Tribe.

B. General Disclaimers.

Nothing in this Compact shall be so construed or interpreted:

1. As a precedent for the litigation of reserved water rights or the interpretation or administration of future compacts between the United States and the State, or the United States and any other state;

2. To preclude the acquisition or exercise of a right to the use of water by any member of the Tribe outside the Reservation by purchase of such right or by acquisition of land, or by application to the State.

3. To determine the relative rights inter sese of persons using water under the authority of the State or the Tribe;

4. To limit in any way the rights of the parties or any other person to litigate any issues or questions not resolved by this Compact;

5. To authorize the taking of a water right which is vested under state or federal law;

6. To create or deny substantive rights through headings or captions used in this Compact;

7. To preclude or to discourage the Tribe from acquiring, by contracting or by other means, water rights in addition to the rights acquired under this Compact from any existing or future federal storage facilities off the Reservation;

8. To address or prejudge whether, in any interstate apportionment, the Tribe's water right shall be counted as part of the waters apportioned to the State;

9. To prohibit the Tribe, or the United States on behalf of the Tribe, from objecting in any general stream adjudication in Montana Water Court to any claims to water rights not protected by a drainage stipulation set forth in Appendix 2 of this Compact; provided that, the United States, on behalf of any other Indian tribe, or in its own right, may raise valid objections to any claims listed in Appendix 2 and Appendix 3 of this Compact;

10. To constitute a waiver of sovereign immunity by the Tribe, State, or United States, except as is expressly set forth in this Compact;

11. Unless otherwise provided by Congress, to prevent the United States, as trustee for the Tribe, or the Tribe itself, from filing an action in any court of competent jurisdiction, to prevent any party from interfering with the Tribe in the enjoyment of any water right in this Compact.

C. Rights Reserved.

The parties expressly reserve all rights not granted, recognized or relinquished in this Compact.

D. Obligations of United States Contingent.

Notwithstanding any other language in this Compact, except as authorized under other provisions of federal law, the obligations of the United States under this Compact shall be contingent on authorization by Congress.

E. Expenditures of Money Contingent.

The expenditure or advance of any money or the performance of any work by the United States or the Tribe pursuant to this Compact which may require appropriation of money by Congress or allotment of funds shall be contingent on such appropriation or allotment being made.

ARTICLE VI - CONTRIBUTIONS TO SETTLEMENT

The Tribe and the State of Montana agree to support federal legislation ratifying this Compact that will accomplish the following:

A. Off-Reservation Water Sources.

1. Lake Elwell Water Supply. The State and the Tribe agree to support federal legislation that will provide an allocation of 10,000 acre-feet per year from storage water in Lake Elwell, as described in Section C.6. of Article III. The priority date of this water right shall be that established for the source of supply. This water right will be held in trust and will be part of the Tribal Water Right.

2. Right to Participate in Future Projects to Import Water to the Milk River. The Tribe shall have the right to participate in any project to augment the water supply in the Milk River system by transferring water from another drainage, and to have any such augmentation project deliver any entitlement of the Tribe to water to a point on the Reservation designated by the Tribe.

B.

Provision Of A Municipal, Rural, And Industrial Water Supply System, And A Tribal Economic Development Fund.

The State and Tribe agree to support federal legislation that will authorize and fund a municipal, rural and industrial water system adequate to meet the future MR&I water needs of the Tribe, according to the needs and population projections as set forth in the Municipal, Rural and Industrial (MR&I) Water Supply System Needs Assessment prepared for the Bureau of Reclamation, U.S. Department of the Interior (January, 1996), through either a regional system or a system serving the Reservation only. The State and Tribe further agree to support federal legislation that will establish an economic development fund as agreed to by the Tribe and the Department of the Interior, or by the Tribe and the Montana Congressional Delegation. Support by the Department of Interior for the proposed MR&I system will depend on a demonstration of feasibility and appropriate allocation of costs.

C. Implementation Contingencies and Cost Share of Administration and Mitigation.

Implementation of this Compact shall be contingent upon the appropriation of necessary funds by the Congress and by the Montana Legislature. The performance of any obligation by any party under this Compact shall be contingent upon appropriation of funds therefor. No liability shall accrue to any party in case necessary funds are not appropriated. The State and the Tribe agree to recommend the following cost share for administration and mitigation necessary to implement the Compact to the Montana State Legislature and the Congress for appropriation on a schedule consistent with implementation as contemplated in this Compact.

1. The State and the Tribe agree to support federal legislation to appropriate \$3,070,000 for the administration of the Tribal Water Right by the Tribal Water Resources Department as set forth in Articles III and IV of the Compact, including but not limited to: stream flow gages; diversion/bypass structures on Big Sandy Creek; aerial survey of impoundments on the Reservation; and development of a Tribal Water Code.

2. The State and the Tribe agree to support state legislation to appropriate \$150,000 for the following purposes as set forth in Articles III and IV of the Compact: water quality discharge monitoring wells and monitoring program; diversion structure on Big Sandy Creek; conveyance structure on Box Elder Creek; and purchase of contract water from Lower Beaver Creek Reservoir.

3. The state agrees to provide services, subject to the availability of funds, valued at \$400,000 for administration required by the Compact and for water quality sampling required by this Compact.

ARTICLE VII - FINALITY, SETTLEMENT OF CLAIMS, AND EFFECTIVENESS OF COMPACT

A. Ratification and Effectiveness of Compact.

1. This Compact shall become effective on the date it is ratified by the Tribe, by the State, and by the Congress of the United States, whichever date is latest; provided that, notwithstanding the provisions of Section **85-2-702(2)**, MCA, those aspects of the Compact specifically designated in Section A.2. of Article VII, shall become effective as stated therein. Upon ratification of this Compact by the Tribe and by the State, whichever is later, the terms of this Compact may not be altered, voided, or modified in any respect without the consent of both the Tribe and the State. Once ratified by Congress, the Tribe, and the State, the Compact may not be modified without the consent of the Tribe, the State, and the United States.

2. As between the State and the Tribe, the moratorium on state permits in the Big Sandy Creek Basin set forth in Section A.7. of Article IV, shall become effective upon the date the Compact is ratified by the Montana Legislature and by the Chippewa Cree Business Committee, whichever date is later. The reservoir operational plan for Bonneau Reservoir set forth in Section B.1 of Article IV shall not become effective until the Reservoir is enlarged.

3. Notwithstanding any other provision in this Compact, the Tribe reserves the right to withdraw as a party to this Compact -

a. if Congress has not ratified this Compact within four (4) years from the date the Compact is ratified by the Tribe and by the State, whichever date is later, or

b. if the municipal, rural, and industrial water supply system which the feasibility study identifies as the preferred alternative to serve the Rocky Boy's Reservation, or an equivalent water supply system as determined by the Tribe, is not authorized within four (4) years of the date the Compact is ratified by the Tribe and by the State, whichever date is later, or

c. if appropriations are not authorized by Congress, including appropriations for planning, design, and other pre-construction work on the municipal, rural, and industrial water supply system authorized by Congress to serve the Rocky Boy's Reservation, within five (5) years of the date the Compact is ratified by the Tribe and by the State, whichever date is later, or

d. if appropriations are not made in the manner contemplated by the federal legislation authorizing

the Tribal municipal, rural, and industrial water supply system, or

e. if construction of the Tribal municipal, rural, and industrial water supply system authorized by Congress to serve the Rocky Boy's Reservation, has not commenced within seven (7) years from the date the Compact is ratified by the Tribe and by the State, whichever date is later, or

f. if construction of the Tribal municipal, rural, and industrial water supply system authorized by Congress to serve the Rocky Boy's Reservation, has not been completed within fourteen (14) years from the date the Compact is ratified by the Tribe and by the State, whichever date is later.

The Tribe may exercise its right to withdraw by sending to the Governor of the State of Montana and to the Secretary of the Interior by certified mail a resolution of the Chippewa Cree Business Committee stating the Tribe's intent to withdraw and specifying a withdrawal date not sooner than 30 days from the date of the resolution. On the date designated in the resolution for Tribal withdrawal, this Compact shall become null and void without further action by any party, and the parties agree to resume negotiation in good faith for quantification of the water rights of the Chippewa Cree Tribe and entry of a decree in a court of competent jurisdiction. If the Tribe fails to take action to withdraw within five (5) years following the fourteen (14) year deadline for completion of the water system, all provisions of the Compact shall remain in effect.

4. Notwithstanding any other provision in this Compact, the Department of the Interior reserves the right to refuse support for federal legislation ratifying this Compact.

B. Incorporation Into Decrees and Disposition of Federal Suits.

1. The Tribe and the State agree to defend the provisions and purposes of this Compact including the quantification set forth in Article III, from all challenges and attacks in all proceedings pursuant to this Section B of Article VII.

2. Within 180 days of the date this Compact is ratified by the Chippewa Cree Business Committee, the State of Montana, and Congress, whichever is latest, the Tribe, the State, or the United States shall file, in the general stream adjudication filed by the State of Montana pursuant to the provisions of **85-2-702(3)**, MCA, a motion for entry of the proposed decree set forth in Appendix 1 as the decree of the water rights held by the United States in trust for the Chippewa Cree Tribe of the Rocky Boy's Reservation. If the court does not approve the proposed decree submitted with the motion within three years following the filing of the motion, the Compact shall be voidable by agreement of the parties. If the court approves the proposed decree within three years, but the decree is subsequently set aside by the court or on appeal, the Compact shall be voidable by agreement of the parties. The parties understand and agree that the submission of this Compact to a state court or courts, as provided for in this Compact, is solely to comply with the provisions of **85-2-702(3)**, MCA, and does not expand the jurisdiction of the state court or expand in any manner the waiver of sovereign immunity of the United States in the McCarran Amendment, 43 U.S.C. 666 or other provision of federal law.

3. Consistent with section **3-7-224**, MCA, setting forth the jurisdiction of the chief water judge, for the purposes of section **85-2-702(3)**, MCA, the review by the Montana Water Court shall be limited to Article III, Section A.8. of Article IV, and Appendix 1, and may extend to other sections of the Compact only to the extent that they relate to the determination of existing water rights. The final decree shall consist of Article III and Section A.8. of Article IV as displayed in Appendix 1 and such other

information as may be required by **85-2-234**, MCA. Nevertheless, pursuant to section **85-2-702(3)**, MCA, the terms of the entire Compact must be included in the preliminary decree without alteration for the purpose of notice.

4. Upon the issuance of a final decree by the Montana Water Court, or its successor, and the completion of any direct appeals therefrom, or upon the expiration of the time for filing any such appeal, the United States, the Tribe, and the State shall execute and file joint motions pursuant to Rule 41(a), Fed. R. Civ. P., to dismiss the Tribe's claims, and any claims made by the United States as trustee for the Tribe, in United States v. Aageson, No. CIV-79-21-GF (D. Mont. 1979) (hereinafter referred to as "Aageson") and such claims may only be refiled if the Tribe exercises its option to withdraw as a party to the Compact pursuant to Section A.3. of Article VII. This Compact shall be filed as a consent decree in Aageson only if, prior to the dismissal of Aageson as provided in this Article, it is finally determined in a judgment binding upon the State of Montana that the state courts lack jurisdiction over, or that the state court proceedings are inadequate to adjudicate, some or all of the water rights asserted in Aageson.

C. Tribal Settlement of Water Claims.

The parties intend that the water rights and other rights confirmed to the Tribe in this Compact are in full satisfaction of the Tribe's water rights claims, including federal reserved water rights claims based on Winters v. United States, 207 U.S. 564 (1908). In consideration of the rights confirmed to the Tribe in this Compact, including rights to the future development of water pursuant to Section C. of Article III, and of performance by the State of Montana and the United States of all actions required by this Compact, including entry of a final order issuing the decree of the reserved water rights of the Tribe held in trust by the United States as quantified in the Compact and displayed in Appendix 1, the Tribe and the United States as trustee for the Tribe hereby relinquish any and all claims to water rights of the Chippewa Cree Tribe within the State of Montana existing on the date this Compact is ratified by the State and the Tribe, whichever date is later.

D. Binding Effect.

Upon the effectiveness of any provision of this Compact, the terms of that provision will be binding:

1. Upon the State and any person or entity of any nature whatsoever using, claiming or in any manner asserting any right under the authority of the State to the use of water in the State of Montana; provided that, the validity of consent, ratification, or authorization by the State is to be determined by Montana law;

2. Upon the Tribe and any person or entity of any nature whatsoever using, claiming or in any manner asserting any right under the authority of the Tribe to the use of the Tribe's water right, or any right arising under any doctrine of reserved or aboriginal water rights for the Tribe; provided that, the validity of consent, ratification or authorization by the Tribe is to be determined by tribal law; and

3. Upon the United States and any person or entity of any nature whatsoever using, claiming or in any manner asserting any right under the authority of the United States to the use of water in the State of Montana; provided that, the validity of consent, ratification or authorization by the United States is to be determined by federal law; and further provided that, nothing contained in this Compact affects any claim of any Indian tribe other than the Chippewa Cree Tribe, or of persons

claiming water through any such other Indian tribe, or the right of any Indian tribe other than the Chippewa Cree Tribe, or persons claiming water through any such other Indian tribe, to pursue a claim to any water from any source based on any theory of right or entitlement.

ARTICLE VIII - LEGISLATION

The State and Tribe agree to seek enactment of any legislation necessary to effectuate the provisions and purposes of this Compact, and to defend the provisions and purposes of this Compact from all challenges and attacks; provided that, no provision of the Compact shall be modified as to substance except as may be provided herein.

IN WITNESS WHEREOF the representatives of the State of Montana, the Chippewa Cree Tribe of the Rocky Boy's Reservation, and the United States have signed this Compact on the 28th day of February, 2000.

History: En. Sec. 1, Ch. 265, L. 1997.

**DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
BIG SANDY CREEK
BASIN 40H
EXHIBIT C
WATER RIGHTS BY WATER RIGHT ID NUMBER**

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						QTR SEC	SEC TWP	RGE	CN				
40H W 202		USE	CM	25.00 GPM	12/31/1935	SENWNW	35	30N	13E	HI		GROUNDWATER	OPHUS, REECE
40H W 603		USE	ST		12/31/1949	NWNENE	15	32N	13E	HI		SPRINKLE COULEE	BERG MELBY CORP
40H W 955		FILED	ST	5.00 GPM	12/31/1916	SWSWNW	13	31N	14E	HI		GROUNDWATER	BROWN, ROBERT
40H W 956		FILED	ST	3.00 GPM	08/15/1963	NWNWNW	25	31N	14E	HI		GROUNDWATER	GRAND COULEE FARMS LLC GREGOIRE, BRAD
40H W 957		FILED	ST	1.00 GPM	12/12/1963	NWSESE	23	31N	14E	HI	SP	SPRING COULEE	BROWN, DAVID W
40H W 958		FILED	ST	1.00 GPM	12/26/1963	SWNWNE	23	31N	14E	HI	SP	SPRING COULEE	BROWN, ROBERT D
40H W 959		FILED	ST	5.00 GPM	06/10/1964	NWNENE	23	31N	14E	HI		GROUNDWATER	BROWN, ROBERT D
40H W 960		FILED	DM	5.00 GPM	03/31/1951	NWNWSW	13	31N	14E	HI		GROUNDWATER	GOBIN, WESLEY S
40H W 961		FILED	DM	5.00 GPM	06/30/1944	SWSWNW	13	31N	14E	HI		GROUNDWATER	BROWN, ROBERT
40H W 1353		USE	ST		11/27/1970	NESESW	23	32N	14E	HI	UT	BIG SANDY CREEK	BURNHAM FARMS INC
40H W 1477		FILED	IR		01/13/1930	N2NENW	16	31N	15E	HI	UT	BIG SANDY CREEK	NEUWERTH, ALAN M NEUWERTH-YONKO, ANA M
40H W 1478		USE	ST		08/16/1949	NESWNW	17	31N	15E	HI	UT	CONNER COULEE	NEUWERTH, ALAN M
40H W 1480		FILED	ST	3.00 GPM	01/27/1962	NWNWSW	9	31N	15E	HI		GROUNDWATER	NEUWERTH-YONKO, ANA M
40H W 1481		USE	ST	7.00 GPM	01/30/1959	SWSWSW	4	31N	15E	HI		GROUNDWATER	NEUWERTH-YONKO, ANA M
40H W 1482		USE	ST	3.00 GPM	10/03/1960	SESENW	17	31N	15E	HI		GROUNDWATER	NEUWERTH, ALAN M
40H W 1483		USE	ST	7.00 GPM	12/31/1948	NWNWNE	8	31N	15E	HI		GROUNDWATER	MCINTOSH, STEVEN L MCINTOSH, WANDA J SW & CREW PARTNERSHIP
40H W 1484		FILED	DM	3.00 GPM	01/27/1962	NWNWSW	9	31N	15E	HI		GROUNDWATER	NEUWERTH-YONKO, ANA M
40H W 1485		USE	DM	3.00 GPM	12/31/1925	NENENE	5	31N	15E	HI		GROUNDWATER	OLSON, KATHRYN OLSON, LEIF
40H W 1685		FILED	IR		02/19/1946	N2SESW	26	31N	13E	HI		SCHWARTZ COULEE	KIEMELE, KENNETH A
40H W 1828		FILED	ST		04/10/1943	NESESE	30	28N	10E	CH	UT	SIXMILE COULEE	WORKS, DANIEL R
40H W 1996		FILED	ST		10/15/1958	NWNWNW	25	29N	9E	CH	UT	INTERIOR DRAINAGE	BOLD, JOHN F
40H W 1997		FILED	ST	3.00 GPM	12/31/1959	SWSWSW	18	29N	10E	CH		GROUNDWATER	BOLD, JOHN F BOLD, LAWRENCE M
40H W 1998		FILED	ST	3.00 GPM	12/31/1942	SWSWSW	18	29N	10E	CH		GROUNDWATER	BOLD, JOHN F BOLD, LAWRENCE M

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40H W 1999		FILED	ST		06/15/1945	SWSWSE	7	29N	10E	CH	MP	INTERIOR DRAINAGE	BOLD, JOHN F
40H W 2000		FILED	ST		06/15/1949	SWSWSW	18	29N	10E	CH	MP	INTERIOR DRAINAGE	BOLD, JOHN F BOLD, LAWRENCE M
40H W 2006		FILED	ST		09/15/1958	SESESE	13	29N	9E	CH	MP	INTERIOR DRAINAGE	BOLD, JOHN F
40H W 2007		FILED	ST	3.00 GPM	12/31/1916	SESENE	14	29N	9E	CH		GROUNDWATER	BOLD, LAWRENCE M
40H W 2009		FILED	DM	3.00 GPM	12/31/1959	SWSWSW	18	29N	10E	CH		GROUNDWATER	BOLD, JOHN F BOLD, LAWRENCE M
40H W 2010		FILED	DM	3.00 GPM	12/31/1942	SWSWSW	18	29N	10E	CH		GROUNDWATER	BOLD, JOHN F BOLD, LAWRENCE M
40H W 2011		FILED	DM	3.00 GPM	12/31/1916	SESENE	14	29N	9E	CH		GROUNDWATER	BOLD, LAWRENCE M
40H W 2013		FILED	DM	3.00 GPM	09/15/1958	SESESE	13	29N	9E	CH	MP	SIXMILE COULEE	BOLD, JOHN F BOLD, LAWRENCE M
40H W 4031		FILED	DM	17.50 GPM	01/19/1973	NENWNW	35	30N	13E	HI		GROUNDWATER	BERNARD, MELODY
40H W 5715		USE	IR		04/01/1927	NENENW	30	31N	15E	HI	UT	CONNER COULEE	WILSON, KENNETH J
40H W 5716		USE	ST		10/31/1925	NENENW	30	31N	15E	HI &	UT	CONNER COULEE	WILSON, KENNETH J
40H W 5717		USE	DM	35.00 GPM	12/31/1927	SENENW	30	31N	15E	HI	SP	CONNER COULEE	WILSON, KENNETH J
40H W 5724		FILED	MD	100.00 GPM	12/31/1911	SESWNE	32	29N	12E	CH		GROUNDWATER	FINKE, FREDERICK W FINKE, LINDA
40H W 6185		FILED	LG		03/18/1948	NWSENE	31	29N	11E	CH		TWELVEMILE COULEE	WORKS, DAN FARMS INC
40H W 6186		FILED	FW		03/18/1948	NWSENE	31	29N	11E	CH		TWELVEMILE COULEE	WORKS, DAN FARMS INC
40H W 9552		DECREE	IR	5.00 CFS	03/13/1890	SESWNW	6	28N	14E	CH &		GORMAN CREEK	RAY, JAMES C RAY, MARLA J
40H W 11398		USE	ST		09/15/1968	SWNENE	30	31N	14E	HI	UT	BIG SANDY CREEK	DANIEL, DAVID L DANIEL, SHERRY K
40H W 11412		USE	ST		09/15/1958	NENENW	32	32N	15E	HI	UT	BIG SANDY CREEK	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 11413		USE	ST		09/01/1960	NWNENW	16	30N	15E	HI	UT	KEIFER COULEE	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 11414		USE	ST		04/15/1917	NESESE	16	30N	15E	HI	SP	KEIFER COULEE	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 11455		FILED	ST	2.00 GPM	11/01/1961	NENWNE	16	29N	11E	CH		GROUNDWATER	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 11468		USE	ST	4.00 GPM	09/01/1968	SWNWSE	36	28N	13E	CH	SP	BIG SANDY CREEK	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 11469		FILED	ST	4.00 GPM	07/03/1961	SENESW	36	28N	13E	CH	SP	BIG SANDY CREEK	MONTANA STATE BOARD OF LAND COMMISSIONERS

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						QTR SEC	SEC TWP	RGE	CN				
40H W 11497		USE	ST		04/15/1932	NENENE	36	31N	14E	HI	UT	SPRING COULEE	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 11498		USE	ST		04/15/1932	NENENE	36	31N	14E	HI	UT	SPRING COULEE	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 11499		USE	DM	10.00 GPM	04/15/1910	NENENE	36	31N	14E	HI		GROUNDWATER	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 11522		FILED	ST	5.00 GPM	02/02/1967	NW/NENW	36	29N	13E	CH	SP	BIG SANDY CREEK	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 11773		FILED	DM	25.00 GPM	12/31/1925	NWNWSW	6	31N	14E	HI		GROUNDWATER	SOHM, PAUL FARMS INC SOHM, SHANNON L
40H W 11774		FILED	DM	3.50 GPM	07/01/1955	NW/NENW	18	32N	14E	HI		GROUNDWATER	SOHM, PAUL FARMS INC SOHM, SHANNON L
40H W 11775		FILED	ST	5.00 GPM	01/30/1981	SWNENW	18	32N	14E	HI		GROUNDWATER	SOHM, PAUL FARMS INC SOHM, SHANNON L
40H W 11776		FILED	IR		05/01/1920	NWNWSW	6	31N	14E	HI		ANTELOPE COULEE	SOHM, PAUL FARMS INC SOHM, SHANNON L
40H W 11777		FILED	IR		06/22/1912	NWNWNW	18	32N	14E	HI		SPRINKLE COULEE	SOHM, PAUL FARMS INC SOHM, SHANNON L
40H W 11792		USE	ST		12/19/1961	NENESE	12	28N	12E	CH	UT	BIG SANDY CREEK	GENEREUX, DEVIN CH
40H W 11829		USE	DM	2.75 GPM	06/30/1938	SWSESW	19	31N	14E	HI		GROUNDWATER	DANIEL, DAVID L
40H W 11830		USE	DM	2.00 GPM	06/01/1932	SESWSW	19	31N	14E	HI		GROUNDWATER	DANIEL, DAVID L
40H W 11831		USE	ST		06/23/1970	NESWNW	30	31N	14E	HI	UT	BIG SANDY CREEK	DANIEL, DAVID L
40H W 11832		USE	ST		12/31/1916	SWSESW	19	31N	14E	HI	UT	BIG SANDY CREEK	DANIEL, DAVID L
40H W 11833		FILED	ST	10.50 GPM	02/28/1972	SWSESW	19	31N	14E	HI		GROUNDWATER	DANIEL, DAVID L
40H W 11834		USE	ST		10/15/1953	SWSESE	19	31N	14E	HI	UT	BIG SANDY CREEK	DANIEL, DAVID L
40H W 11835		USE	ST		04/17/1970	NWSESW	31	31N	14E	HI	UT	SCHWARTZ COULEE	DANIEL, DAVID L
40H W 11836		USE	IR		10/23/1967	NESWSW	31	31N	14E	HI	UT	SCHWARTZ COULEE	DANIEL, DAVID L
40H W 11852		FILED	DM	25.00 GPM	12/31/1913	NESWSE	11	28N	13E	CH	SP	COAL MINE COULEE	GENEREUX, DARIN M GENEREUX, LISA M
40H W 11853		FILED	DM	10.00 GPM	11/06/1963	SWSWNW	12	28N	13E	CH		GROUNDWATER	GENEREUX, WALTER E
40H W 11854		USE	ST		12/31/1946	SENWSE	14	28N	13E	CH	UT	BIG SANDY CREEK	GENEREUX, DEANA GENEREUX, WALTER E
40H W 11855		FILED	ST	10.00 GPM	11/04/1960	SENESE	15	28N	13E	CH		GROUNDWATER	GENEREUX, DEANA GENEREUX, WALTER E

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						QTR	SEC	TWP	RGE CN				
40H W 11856		FILED	ST	25.00 GPM	12/31/1913	NESWSE	11	28N	13E	CH	SP	COAL MINE COULEE	GENEREUX, DARIN M GENEREUX, LISA M
40H W 11906		USE	ST		04/20/1915	SENWSW	29	32N	14E	HI	UT	BIG SANDY CREEK	MCCORMICK, LYLAS A MCCORMICK, NEIL R
40H W 12343		FILED	DM	15.00 GPM	04/30/1957	NESWNW	35	30N	13E	HI		GROUNDWATER	BITZ, REINHOLT E BITZ, WADE D MCCORMICK, RYAN E NIMMICK, GARLAND
40H W 13218		USE	DM	20.00 GPM	09/13/1954	SWNESE	18	28N	14E	CH		GROUNDWATER	GENEREUX, GAYE L GENEREUX, RAELYNN JO GENEREUX, ROGER A GENEREUX, ROGER L
40H W 13219		USE	ST	10.00 GPM	06/30/1948	NWNESE	17	28N	14E	CH		GROUNDWATER	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 13220		USE	ST		12/31/1945	SENWNW	30	28N	14E	CH	UT	BIG SANDY CREEK	GENEREUX, RAELYNN JO GENEREUX, ROGER A
40H W 13221		USE	ST		12/31/1908	NWSWSE	26	28N	13E	CH	SP	BIG SANDY CREEK	GENEREUX, RAELYNN JO GENEREUX, ROGER A
40H W 13222		USE	ST		12/31/1908	NESESW	26	28N	13E	CH	SP	BIG SANDY CREEK	GENEREUX, RAELYNN JO GENEREUX, ROGER A
40H W 13223		USE	ST	20.00 GPM	12/31/1958	SWNESE	18	28N	14E	CH		GROUNDWATER	GENEREUX, GAYE L GENEREUX, RAELYNN JO GENEREUX, ROGER A GENEREUX, ROGER L
40H W 13224		USE	ST		12/31/1920	NENESW	30	28N	14E	CH	SP	BIG SANDY CREEK	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 13486		USE	ST		11/01/1937	NWNESW	23	30N	15E	HI	SP	KEIFER COULEE	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 13500		USE	ST		07/01/1950	SESESW	36	29N	12E	CH	MP	INTERIOR DRAINAGE	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 13981		USE	ST		09/01/1966	NESWSW	30	29N	14E	CH	UT	BIG SANDY CREEK	HETTRICK, DORIEN H
40H W 13982		USE	ST		10/01/1941	NESWNW	32	29N	14E	CH	UT	BIG SANDY CREEK	HETTRICK, DORIEN H
40H W 13983		USE	ST	10.00 GPM	10/12/1961	NWSESE	29	29N	14E	CH		GROUNDWATER	HETTRICK, DORIEN H
40H W 13984		USE	ST		11/17/1947	NWSESW	30	29N	14E	CH	UT	BIG SANDY CREEK	HETTRICK, DORIEN H

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						QTR	SEC	TWP	RGE CN			
40H W 13985		USE	ST		09/01/1966	NWNWSE	31	29N	14E CH	UT	GORMAN CREEK	HETRICK, DORIEN H
40H W 13986		USE	ST		09/01/1966	NWSESW	29	29N	14E CH	UT	CAMP CREEK	HETRICK, DORIEN H
40H W 13987		USE	DM	15.00 GPM	11/27/1928	NWSESE	29	29N	14E CH	SP	CAMP CREEK	HETRICK, DORIEN H
40H W 13988		USE	DM	4.00 GPM	04/24/1951	NWNW/NW	30	29N	14E CH		GROUNDWA TER	HETRICK, DORIEN H
40H W 13989		USE	IR	25.00 GPM	11/01/1928	NENENE	32	29N	14E CH		CAMP CREEK	HETRICK, DORIEN H
40H W 15063		FILED	DM	3.50 GPM	10/31/1943	NWNWSW	12	31N	14E HI		GROUNDWA TER	MCINTOSH, ALEC D MCINTOSH, KAREN A
40H W 15064		FILED	ST	3.50 GPM	10/31/1943	NWNWSW	12	31N	14E HI		GROUNDWATER	MCINTOSH, ALEC D MCINTOSH, KAREN A
40H W 15065		FILED	ST		03/15/1920	W2SWNW	12	31N	14E HI		CONNER COULEE	MCINTOSH, ALEC D MCINTOSH, KAREN A
40H W 15066		FILED	IR		03/15/1920	W2SWNW	12	31N	14E HI		CONNER COULEE	MCINTOSH, ALEC D MCINTOSH, KAREN A
40H W 15601		FILED	DM	5.00 GPM	02/28/1946	SWSWSE	15	31N	13E HI		GROUNDWATER	GOODIAN, EDWARD
40H W 15602		USE	ST		06/30/1931	SWSWNE	22	31N	13E HI	UT	SCHWARTZ COULEE	GOODIAN, EDWARD
40H W 15603		USE	ST		10/31/1941	S2NESE	22	31N	13E HI	UT	SCHWARTZ COULEE	GOODIAN, EDWARD
40H W 15607		FILED	ST	5.00 GPM	02/28/1946	SWSWSE	15	31N	13E HI		GROUNDWA TER	GOODIAN, EDWARD
40H W 15629		USE	ST		12/31/1928	NENESE	22	28N	13E CH	UT	BIG SANDY CREEK	GENEREUX, DEANA GENEREUX, WALTER E
40H W 15630		USE	ST		12/31/1935	SWNWNE	23	28N	13E CH	UT	BIG SANDY CREEK	GENEREUX, DEANA GENEREUX, WALTER E
40H W 15631		USE	ST		12/31/1935	SESESW	24	28N	13E CH	UT	BIG SANDY CREEK	GENEREUX, DEANA GENEREUX, WALTER E
40H W 15632		USE	ST		12/31/1915	NWNWSW	23	28N	13E CH	SP	BIG SANDY CREEK	GENEREUX, DEANA GENEREUX, WALTER E
40H W 16024		USE	ST		12/31/1952	NWNW/NW	20	28N	12E CH	MP	INTERIOR DRAINAGE	SIMPSON, CONNIE J
40H W 17430		USE	ST		01/01/1920	NESENE	12	28N	10E CH		TWELVEMILE COULEE	MYERS, LAURENCE A
40H W 17431		FILED	ST		12/01/1972	NENESE	14	28N	10E CH	UT	TWELVEMILE COULEE	MYERS FARMS INC MYERS, LAURENCE A
40H W 18358		USE	ST		10/15/1960	SWNWNW	14	30N	14E HI	UT	BIG SANDY CREEK	MONTANA STATE BOARD OF LAND COMMISSIONERS

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						QTR	SEC	TWP	RGE CN				
40H W 18359		USE	ST		09/15/1954	SENE	15	30N	14E	HI	UT	BIG SANDY CREEK	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 18438		USE	ST		05/04/1904	E2SENE	16	27N	9E	CH		SIXMILE COULEE	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 18489		USE	ST		01/01/1965	SESENE	16	29N	12E	CH	MP	INTERIOR DRAINAGE	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 18518		USE	ST		07/01/1955	NESESE	16	28N	13E	CH	UT	BIG SANDY CREEK	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 18519		FILED	ST		12/27/1969	SWSWSW	36	29N	11E	CH	MP	LONESOME LAKE COULEE	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 18632		FILED	ST	5.00 GPM	12/31/1912	SWSWNW	7	29N	11E	CH		GROUNDWATER	HOREL, MARSHA
40H W 18633		USE	ST	5.00 GPM	12/31/1912	SWSWNW	7	29N	11E	CH		WELL	HOREL, MARSHA
40H W 18634		USE	ST		12/31/1943	NWNW	8	32N	15E	HI &		BIG SANDY CREEK	FITZGIBBON, COLEEN MUELLER, GARY R OTTERNESS, THOMAS E OTTO, JERRY
40H W 18635		USE	IR	17.00 GPM	12/31/1962	SENWNW	8	32N	15E	HI		BIG SANDY CREEK	FITZGIBBON, COLEEN OTTERNESS, THOMAS E
40H W 19088		USE	ST		12/31/1942	SWNWNW	7	28N	10E	CH	UT	SIXMILE COULEE	EREAUX, LYNETTE T
40H W 19089		USE	ST		12/31/1942	SWNWNW	7	28N	10E	CH	UT	SIXMILE COULEE	EREAUX, LYNETTE T
40H W 19090		FILED	DM	10.00 GPM	12/31/1916	NWNWNW	7	28N	10E	CH		GROUNDWATER	GULLICKSON, GREG
40H W 19091		USE	LG		12/31/1942	SWSWSE	1	28N	9E	CH	UT	SIXMILE COULEE	ERICKSON, NANCY GULLICKSON, GARY GULLICKSON, GREG
40H W 19092		USE	ST		12/31/1942	SWSWNW	24	28N	9E	CH		SIXMILE COULEE	GEISE, KURT R GEISE, KYLE R
40H W 19093		USE	DM	30.00 GPM	12/31/1914	SESWSW	15	28N	10E	CH		GROUNDWATER	GEISE, KURT R GEISE, KYLE R
40H W 19395		USE	ST		09/21/1936	N2NESW	4	28N	12E	CH	UT	INTERIOR DRAINAGE	PEARSON, GAY H PEARSON, RONALD A
40H W 19425		USE	ST	15.00 GPM	11/15/1953	NENESE	22	31N	14E	HI		GROUNDWATER	LASALLE, LEON
40H W 19427		USE	ST	15.00 GPM	10/08/1948	NENESE	22	31N	14E	HI		GROUNDWATER	LASALLE, LEON
40H W 19428		FILED	ST	10.00 GPM	02/10/1969	SWSWNW	23	31N	14E	HI		GROUNDWATER	MOLYNEAUX, MIKEL MOLYNEAUX, SHELDON
40H W 19432		USE	ST		02/27/1931	NENENW	2	30N	14E	HI	SP	GRAVEL COULEE	BALTRUSCH, WILLIAM H

**DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
BIG SANDY CREEK
BASIN 40H
EXHIBIT C
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						QTR	SEC	TWP	RGE CN				
40H W 19438		FILED	ST		02/27/1931	E2SWNE	2	30N	14E	HI &	GRAVEL COULEE	BALTRUSCH, WILLIAM H	
40H W 19439		USE	DM	7.50 GPM	10/08/1948	NENESE	22	31N	14E	HI	GROUNDWATER	LASALLE, LEON	
40H W 19440		FILED	DM	10.00 GPM	02/10/1969	SWSWNW	23	31N	14E	HI	GROUNDWATER	MOLYNEAUX, MIKEL MOLYNEAUX, SHELDON	
40H W 20140		USE	ST		12/31/1969	NENESE	30	31N	15E	HI	SP	SPRING COULEE	BAR TRIANGLE J RANCH INC
40H W 20141		USE	ST		12/31/1963	SESESW	28	31N	15E	HI	UT	SPRING COULEE	BAR TRIANGLE J RANCH INC
40H W 20142		USE	ST		12/31/1965	SWSWNW	28	31N	15E	HI	UT	SPRING COULEE	BAR TRIANGLE J RANCH INC
40H W 20143		USE	ST		01/31/1930	SESWNE	29	31N	15E	HI	SP	SPRING COULEE	BAR TRIANGLE J RANCH INC
40H W 20144		USE	ST		06/20/1930	SENWSE	32	31N	15E	HI	SP	SPRING COULEE	BAR TRIANGLE J RANCH INC
40H W 20978		USE	ST		05/31/1966	E2SWNE	8	32N	14E	HI	UT	SPRINKLE COULEE	AUSTIN, KYLE RAY KNUDSON, JANET LEE
40H W 21771		FILED	ST		06/30/1970	SWSWNE	15	27N	14E	CH	UT	GODFREY CREEK	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 23284		USE	ST	10.00 GPM	11/30/1942	SESESW	21	28N	9E	CH		GROUNDWATER	RICHARD, ORVIN L
40H W 26272		USE	DM	30.00 GPM	07/25/1914	NENENW	19	28N	13E	CH		GROUNDWATER	BERLINGER, RITA
40H W 26298		USE	ST	5.20 GPM	12/31/1939	SENWSE	10	27N	9E	CH		GROUNDWATER	BELOATE, JUDY LUMARGE
40H W 26299		USE	ST		12/31/1939	S2NWSE	10	27N	9E	CH		SIXMILE COULEE	BELOATE, JUDY LUMARGE
40H W 26300		USE	DM	5.20 GPM	12/31/1939	SENWSE	10	27N	9E	CH		GROUNDWATER	BELOATE, JUDY LUMARGE
40H W 26301		USE	IR		12/31/1939	S2NWSE	10	27N	9E	CH		SIXMILE COULEE	BELOATE, JUDY LUMARGE
40H W 26302		USE	FP		12/31/1939	S2NWSE	10	27N	9E	CH		SIXMILE COULEE	BELOATE, JUDY LUMARGE
40H W 27093		USE	ST		06/20/1951	SENWSW	13	28N	12E	CH	UT	BIG SANDY CREEK	SIEBRASSE FARMS INC
40H W 27094		FILED	ST	22.44 GPM	12/31/1945	NESWSW	13	28N	12E	CH		GROUNDWATER	SIEBRASSE FARMS INC
40H W 27100		FILED	DM	22.44 GPM	12/31/1945	NESWSW	13	28N	12E	CH		GROUNDWATER	SIEBRASSE FARMS INC
40H W 27104		USE	IR		06/20/1946	SENWSW	13	28N	12E	CH	UT	BIG SANDY CREEK	SIEBRASSE FARMS INC
40H W 28472		USE	ST		11/01/1968	NENWNE	22	32N	14E	HI	UT	SPRINKLE COULEE	KAERCHER, LESLIE W KAERCHER, TERRI J
40H W 28473		FILED	ST		07/27/1950	NWSENW	22	32N	14E	HI		SPRINKLE COULEE	KAERCHER, LESLIE W KAERCHER, TERRI J
40H W 28474		USE	ST		12/31/1936	NWNENW	23	32N	14E	HI	UT	SPRINKLE COULEE	KAERCHER, LESLIE W KAERCHER, TERRI J

**DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
BIG SANDY CREEK
BASIN 40H
EXHIBIT C
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						QTR	SEC	TWP	RGE			
40H W 28475		FILED	IR		07/27/1950	NWSE	22	32N	14E	HI		SPRINKLE COULEE KA ERCHER, LESLIE W KA ERCHER, TERRI J KONESKY, BARBARA KONESKY, RONALD G
40H W 30167		USE	IR		09/15/1970	N2SWSE	36	31N	13E	HI	UT	SCHWARTZ COULEE MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 31634		USE	DM		12/31/1942	NWSESW	24	28N	9E	CH	UT	SIXMILE COULEE DIXON, RUSSELL R
40H W 31645		FILED	DM	13.00 GPM	08/27/1953	NENWSW	23	31N	14E	HI		GROUNDWATER LAREDO FINANCIAL BUSINESS & REAL ESTATE LLC
40H W 32870		USE	IR		10/31/1945	NENENE	2	28N	9E	CH	UT	SIXMILE COULEE BOLD, JOHN F BOLD, LAWRENCE M
40H W 32922		USE	ST		10/15/1964	SWNESW	6	28N	11E	CH		TWELVEMILE COULEE FINKE, FREDERICK W
40H W 32923		FILED	ST		06/26/1911	SWNENW	5	28N	10E	CH		SIXMILE COULEE ANDERSON, RENATE F FINKE, FREDERICK W
40H W 32924		USE	ST		06/26/1911	SESENE	31	29N	10E	CH		SIXMILE COULEE FINKE, ROBERT W
40H W 32925		USE	ST		06/26/1911	NENWNW	32	29N	10E	CH		SIXMILE COULEE FINKE, ROBERT W
40H W 32926		FILED	DM	10.00 GPM	05/31/1940	SESWNE	31	29N	10E	CH		GROUNDWATER FINKE, ROBERT W
40H W 33441		USE	ST		05/31/1915	SENE	21	28N	14E	CH	SP	GORMAN CREEK GENEREUX, GAYE L GENEREUX, ROGER L
40H W 33442		USE	ST		05/31/1915	NWNENE	21	28N	14E	CH &	UT	GORMAN CREEK GENEREUX, GAYE L GENEREUX, ROGER L
40H W 33465		USE	ST		11/29/1961	NWSW	13	28N	14E	CH &		GORMAN CREEK, SOUTH FORK CHAUVET REAL ESTATE LLC CHAUVET, SCOTT M REVOCABLE TRUST CHAUVET, SHANE R REVOCABLE TRUST CHAUVET, SHELLEY L REVOCABLE TRUST
40H W 35148		USE	ST		05/26/1969	W2SWSW	16	31N	15E	HI	UT	CONNER COULEE MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 35149		USE	ST		04/01/1934	N2NENW	16	31N	15E	HI	UT	BIG SANDY CREEK MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 35150		USE	ST		05/26/1969	SWSESE	16	31N	15E	HI	UT	BIG SANDY CREEK MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 35166		USE	ST		04/15/1953	E2SWNE	2	27N	14E	CH	UT	FRENCHMAN CREEK MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 37134		USE	LG	120.00 GPM	06/21/1948	SWSWSE	5	32N	15E	HI		BIG SANDY CREEK STICKA, CHARLENE M STICKA, TIMOTHY R
40H W 37233		USE	ST		12/31/1945	SWSE	19	28N	14E	CH &	UT	BIG SANDY CREEK GENEREUX, RAELYNN JO GENEREUX, ROGER A

**DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
BIG SANDY CREEK
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40H W 37234		USE	ST		12/31/1945	NWSESE	19	28N	14E	CH	SP	BIG SANDY CREEK	SMELSER, KEITH J SMELSER, VALERIE J WELTY, WILMA M
40H W 37272		FILED	ST		06/02/1911	SWNWSW	22	28N	10E	CH		TWELVEMILE COULEE	DIXON, MYRNA L DIXON, RUSSELL R
40H W 37273		FILED	ST		04/24/1904	E2SWNE	29	28N	10E	CH		TWELVEMILE COULEE	DIXON, MYRNA L DIXON, RUSSELL R
40H W 37274		FILED	DM		04/24/1904	E2SWNE	29	28N	10E	CH		TWELVEMILE COULEE	DIXON, MYRNA L DIXON, RUSSELL R
40H W 37317		DECREE	IR	15.00 CFS	03/18/1901	NENESW	20	28N	13E	CH &		BIG SANDY CREEK	CHAUVET RANCH CO CHAUVET, SHANE
40H W 38692		FILED	DM	9.00 GPM	11/20/1963	NWNWNW	35	30N	13E	HI		GROUNDWATER	SHETLER, EARL D SHETLER, LORNA J SWAN, CHARLES
40H W 39969		USE	ST		12/30/1969	NWNWSW	30	32N	14E	HI	UT	BIG SANDY CREEK	DONOVEN, DENNIS DONOVEN, JOYCE A PURSLEY, CLARENCE G TRUST UNDER WILL
40H W 39970		USE	ST		12/31/1936	SWNESW	30	32N	14E	HI	UT	BIG SANDY CREEK	DONOVEN, DENNIS DONOVEN, JOYCE A PURSLEY, CLARENCE G TRUST UNDER WILL
40H W 39971		USE	LG		12/30/1969	NWNWSW	30	32N	14E	HI	UT	BIG SANDY CREEK	DONOVEN, DENNIS DONOVEN, JOYCE A PURSLEY, CLARENCE G TRUST UNDER WILL
40H W 41866		USE	DM	15.00 GPM	06/01/1937	NWNWSE	27	30N	11E	HI		GROUNDWATER	DIELMAN, LEWIS L
40H W 41867		FILED	ST		06/10/1953	SESESW	32	28N	14E	CH	UT	BIG SANDY CREEK	BERLINGER, COREY BERLINGER, RITA
40H W 41868		FILED	ST		04/01/1931	W2NWSE	20	28N	14E	CH	UT	BIG SANDY CREEK	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 41968		USE	DM	5.00 GPM	09/30/1946	SENWNW	35	30N	13E	HI		GROUNDWATER	GALBAY, ELISIE M GALBAY, SAMUEL
40H W 42073		USE	ST		02/11/1926	NENENE	5	32N	15E	HI		BIG SANDY CREEK	BROWN, MATTHEW
40H W 42095		USE	ST		05/10/1940	W2NWSE	32	31N	14E	HI		BIG SANDY CREEK	DANIEL, DAVID L

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40H W 42095		USE			05/10/1940	W2N	WSE	32	31N	14E	HI	BIG SANDY CREEK	DANIEL, GUADALUPE F DANIEL, NANCY R DANIEL, RICHARD E DANIEL, RONALD W DANIEL, SHERRY K	
40H W 42096		USE	ST	10.00 GPM	06/15/1948	SWS	ENW	14	31N	14E	HI	GROUNDWATER	DANIEL, DAVID L DANIEL, GUADALUPE F DANIEL, NANCY R DANIEL, RICHARD E DANIEL, SHERRY K	
40H W 44064		USE	FW		09/01/1966	SWN	ENW	6	30N	11E	HI	UT	FOURTEENMILE COULEE	BORLAUG, MONTY INC
40H W 44243		FILED	ST	2.20 GPM	01/01/1916	SEN	WSE	12	28N	10E	CH		GROUNDWATER	TESTER, R JON
40H W 44244		USE	ST		01/01/1951	SEN	WSE	12	28N	10E	CH		TWELVEMILE COULEE	TESTER, R JON
40H W 44245		USE	DM		01/01/1951	SEN	WSE	12	28N	10E	CH		TWELVEMILE COULEE	TESTER, R JON
40H W 44268		USE	LG		05/01/1951	NES	WNE	25	31N	13E	HI	UT	SCHWARTZ COULEE	KIEMELE, KENNETH A INC
40H W 44920		USE	ST		12/23/1969	SWSE	SE	35	29N	13E	CH	UT	BIG SANDY CREEK	RAY, JAMES C
40H W 44921		FILED	ST	25.00 GPM	07/08/1959	NW	NWNE	3	28N	13E	CH		GROUNDWATER	RAY, CHARLOTTE RAY, EDWARD C
40H W 44986		FILED	ST	30.00 GPM	12/31/1911	SWS	WSW	3	27N	9E	CH		GROUNDWATER	ABELL, GREGORY W
40H W 44987		USE	ST		12/31/1942	E2S	ESW	10	27N	9E	CH		SIXMILE COULEE	ABELL, GREGORY W
40H W 44988		FILED	DM	30.00 GPM	12/31/1911	SWS	WSW	3	27N	9E	CH		GROUNDWATER	ABELL, GREGORY W
40H W 46984		USE	ST		12/31/1948	NWN	ESE	14	29N	11E	CH		TWELVEMILE COULEE	FINKE, FREDERICK W
40H W 46985		FILED	IR		10/24/1930	N2N	WNW	18	29N	11E	CH		SIXMILE COULEE	BLUEHORSE INC ED VENTURES INC
40H W 47003		FILED	ST		03/05/1958	SEN	WSE	3	30N	15E	HI		SPRING COULEE, SOUTH FORK	HERRON, TIMOTHY S
40H W 47004		FILED	ST		12/19/1943	SEN	WSW	10	30N	15E	HI		SPRING COULEE, SOUTH FORK	HERRON, TIMOTHY S
40H W 47005		FILED	ST		03/05/1958	NWN	ESE	34	31N	15E	HI		SPRING COULEE	HERRON, TIMOTHY S
40H W 47006		USE	IR		05/31/1961	NWSE	SW	31	31N	15E	HI	UT	SPRING COULEE	HERRON, TIMOTHY S
40H W 48199		USE	ST		09/30/1945	NWS	WNW	22	28N	13E	CH	UT	BIG SANDY CREEK	CHAUVET RANCH CO CHAUVET, SHANE
40H W 48200		USE	ST		09/30/1938	SWS	WNE	26	28N	13E	CH	UT	BIG SANDY CREEK	CHAUVET RANCH CO

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BIG SANDY CREEK
BASIN 40H
EXHIBIT C
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						QTR	SEC	SEC TWP	RGE CN			
40H W 48200		USE			09/30/1938	SWSWNE	26	28N	13E CH	UT	BIG SANDY CREEK	CHAUVET, SHANE
40H W 48201		USE	ST		09/30/1947	N2SENW	26	28N	13E CH	UT	BIG SANDY CREEK	CHAUVET RANCH CO CHAUVET, SHANE
40H W 48311		USE	ST		01/01/1935	SESWSW	27	28N	14E CH		BIG SANDY CREEK	SMELSER, KEITH J SMELSER, VALERIE J WELTY, WILMA M
40H W 48312		USE	ST		04/01/1945	NWNWSE	29	28N	14E CH	UT	BIG SANDY CREEK	SMELSER, KEITH J SMELSER, VALERIE J WELTY, WILMA M
40H W 48313		USE	ST		01/01/1935	SWNESW	20	28N	14E CH	SP	BIG SANDY CREEK	SMELSER, KEITH J SMELSER, VALERIE J WELTY, WILMA M
40H W 48314		USE	ST		01/01/1935	SESESW	27	28N	14E CH &		BIG SANDY CREEK	SMELSER, KEITH J SMELSER, VALERIE J WELTY, WILMA M
40H W 48319		USE	ST		06/30/1971	NWSESE	25	29N	13E CH	SP	DUCK CREEK	SAND CREEK RANCH LLC
40H W 48320		USE	ST		07/31/1910	NWNWSE	26	29N	14E CH	SP	DUCK CREEK	SAND CREEK RANCH LLC
40H W 48321		USE	ST		07/31/1910	SENESE	26	29N	14E CH	SP	CAMP CREEK	SAND CREEK RANCH LLC
40H W 48322		USE	ST		07/31/1910	NWSWSE	25	29N	14E CH	SP	DUCK CREEK	SAND CREEK RANCH LLC
40H W 48323		USE	ST		07/31/1910	SESWSE	25	29N	14E CH	SP	DUCK CREEK	SAND CREEK RANCH LLC
40H W 48324		USE	ST		07/31/1910	NESWNE	35	29N	14E CH	SP	CAMP CREEK	SAND CREEK RANCH LLC
40H W 48325		USE	ST		07/31/1910	NWNWSW	28	29N	14E CH	SP	DUCK CREEK	SAND CREEK RANCH LLC
40H W 48326		USE	ST		07/31/1910	NESENE	26	29N	14E CH	SP	DUCK CREEK	SAND CREEK RANCH LLC
40H W 48327		FILED	ST	3.00 GPM	09/20/1963	NWSWSE	26	29N	14E CH	SP	CAMP CREEK	SAND CREEK RANCH LLC
40H W 48328		FILED	ST	5.00 GPM	09/20/1963	SENESE	26	29N	14E CH	SP	CAMP CREEK	SAND CREEK RANCH LLC
40H W 48329		USE	ST		07/31/1910	SENESE	22	29N	14E CH	SP	DUCK CREEK	SAND CREEK RANCH LLC
40H W 48330		USE	ST		10/31/1910	NESWSW	23	29N	14E CH	SP	DUCK CREEK	SAND CREEK RANCH LLC
40H W 48331		USE	ST		10/31/1910	SWSWNE	27	29N	14E CH	SP	CAMP CREEK	SAND CREEK RANCH LLC
40H W 48332		FILED	ST		12/31/1963	NENWNW	33	29N	14E CH	SP	CAMP CREEK	SAND CREEK RANCH LLC
40H W 48333		USE	ST		07/31/1910	NWNWSE	21	29N	14E CH	SP	CAMP CREEK	SAND CREEK RANCH LLC

**DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
BIG SANDY CREEK
BASIN 40H
EXHIBIT C
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						QTR	SEC	TWP	RGE CN				
40H W 48334		USE	ST		05/31/1921	SES	NW	17	29N 14E	CH	SP	DUCK CREEK	SAND CREEK RANCH LLC
40H W 48335		USE	ST		01/01/1910	NWS	WNE	23	29N 13E	CH	SP	DUCK CREEK	SAND CREEK RANCH LLC
40H W 48336		USE	ST		09/30/1941	SWS	ENW	28	29N 13E	CH	UT	BIG SANDY CREEK	SAND CREEK RANCH LLC
40H W 48337		USE	ST		04/30/1959	NWS	ENE	32	29N 13E	CH	UT	BIG SANDY CREEK	SAND CREEK RANCH LLC
40H W 48338		USE	ST		07/31/1941	SWS	ENE	21	29N 13E	CH	UT	BIG SANDY CREEK	SAND CREEK RANCH LLC
40H W 48339		USE	ST		04/30/1921	SEN	ENW	13	29N 13E	CH	UT	DUCK CREEK	SAND CREEK RANCH LLC
40H W 48340		USE	ST		10/13/1912	NWS	ENE	18	29N 14E	CH	UT	DUCK CREEK	SAND CREEK RANCH LLC
40H W 48341		FILED	ST		01/30/1907	NEN	WSE	25	29N 13E	CH	UT	BIG SANDY CREEK	SAND CREEK RANCH LLC
40H W 48342		USE	ST		06/01/1911	NEN	WNW	35	29N 14E	CH	UT	CAMP CREEK	SAND CREEK RANCH LLC
40H W 48344		USE	ST		12/31/1959	NEN	WNW	36	29N 14E	CH		CAMP CREEK	SAND CREEK RANCH LLC
40H W 48347		USE	ST	1,600.00 GPM	07/25/1910	SE	ENE	22	29N 14E	CH		DUCK CREEK	SAND CREEK RANCH LLC
40H W 48348		USE	ST		12/31/1955	SW	NWSW	25	29N 13E	CH	UT	BIG SANDY CREEK	SAND CREEK RANCH LLC
40H W 48349		USE	ST		12/31/1946	SE	ESE	13	29N 13E	CH		DUCK CREEK	SAND CREEK RANCH LLC
40H W 48350		USE	ST		08/31/1956	NE	ESE	24	29N 13E	CH		CAMP CREEK	SAND CREEK RANCH LLC
40H W 48351		USE	ST		06/03/1911	SWS	ENW	24	29N 13E	CH		CAMP CREEK	SAND CREEK RANCH LLC
40H W 48352		FILED	ST	25.00 GPM	09/10/1972	NW	NENE	21	29N 13E	CH		GROUNDWATER	SAND CREEK RANCH LLC
40H W 48353		FILED	ST	35.00 GPM	06/20/1954	SW	NWSE	22	29N 13E	CH		GROUNDWATER	SAND CREEK RANCH LLC
40H W 48354		USE	ST	25.00 GPM	09/30/1915	SWS	WNE	24	29N 13E	CH		GROUNDWATER	SAND CREEK RANCH LLC
40H W 48355		FILED	ST		01/30/1907	N2	N2SE	25	29N 13E	CH &	UT	BIG SANDY CREEK	SAND CREEK RANCH LLC
40H W 48356		FILED	ST		06/03/1911	NE	ESE	35	29N 14E	CH &	UT	CAMP CREEK	SAND CREEK RANCH LLC
40H W 48357		USE	ST		09/30/1910	SWS	ENW	35	29N 14E	CH &	UT	CAMP CREEK	SAND CREEK RANCH LLC
40H W 48358		FILED	ST		08/20/1903	N2	N2SE	24	29N 13E	CH &		CAMP CREEK	SAND CREEK RANCH LLC
40H W 48359		USE	ST		04/30/1910	S2	SWSE	22	29N 14E	CH &	UT	CAMP CREEK	SAND CREEK RANCH LLC
40H W 48360		USE	ST		09/30/1910	NEN	WNE	28	29N 14E	CH &	UT	CAMP CREEK	SAND CREEK RANCH LLC
40H W 48361		USE	ST		12/31/1910	W2	SWNE	25	29N 14E	CH &	UT	DUCK CREEK	SAND CREEK RANCH LLC
40H W 48362		USE	ST		09/30/1910	W2	E2SW	25	29N 14E	CH &	UT	CAMP CREEK	SAND CREEK RANCH LLC
40H W 48363		USE	ST		07/31/1925	W2	SESE	15	29N 14E	CH &	UT	DUCK CREEK, DRY FORK	SAND CREEK RANCH LLC
40H W 48364		USE	ST		05/31/1925	E2	NENE	18	29N 14E	CH &	UT	DUCK CREEK	SAND CREEK RANCH LLC

**DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
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						QTR	SEC	TWP	RGE CN				
40H W 48365		FILED	ST		05/17/1898	NENE	25	29N	14E	CH &	DUCK CREEK	SAND CREEK RANCH LLC	
40H W 48366		USE	ST		12/31/1918	W2NWNE	13	29N	13E	CH &	DUCK CREEK	SAND CREEK RANCH LLC	
40H W 48367		USE	ST	6.00 GPM	08/31/1952	NWSENE	28	29N	13E	CH	GROUNDWATER	SAND CREEK RANCH LLC	
40H W 48369		FILED	IR	3.75 CFS	07/25/1910	SESESE	13	29N	13E	CH	DUCK CREEK	SAND CREEK RANCH LLC	
40H W 48370		FILED	IR	3.00 CFS	10/22/1906	SESENE	22	29N	14E	CH	DUCK CREEK	SAND CREEK RANCH LLC	
40H W 48371		FILED	IR	5.00 CFS	05/17/1898	SESESE	13	29N	13E	CH	DUCK CREEK	SAND CREEK RANCH LLC	
40H W 48372		USE	IR		12/31/1946	SESESE	13	29N	13E	CH	DUCK CREEK	SAND CREEK RANCH LLC	
40H W 48375		FILED	IR	5.00 CFS	06/01/1911	NENESE	24	29N	13E	CH	CAMP CREEK	SAND CREEK RANCH LLC	
40H W 48376		FILED	IR	5.00 CFS	06/01/1911	NENESE	24	29N	13E	CH	CAMP CREEK	SAND CREEK RANCH LLC	
40H W 48377		FILED	IR	280.00 GPM	06/01/1911	SWSNW	24	29N	13E	CH	CAMP CREEK	SAND CREEK RANCH LLC	
40H W 48378		FILED	IR	280.00 GPM	08/20/1903	SWSNW	24	29N	13E	CH	CAMP CREEK	SAND CREEK RANCH LLC	
40H W 48380		FILED	DM	25.00 GPM	09/10/1972	NWNENE	21	29N	13E	CH	GROUNDWATER	SAND CREEK RANCH LLC	
40H W 48381		FILED	DM	35.00 GPM	06/20/1954	SWNWSE	22	29N	13E	CH	GROUNDWATER	SAND CREEK RANCH LLC	
40H W 48382		USE	DM	25.00 GPM	09/30/1915	SWSWNE	24	29N	13E	CH	GROUNDWATER	SAND CREEK RANCH LLC	
40H W 49681		USE	ST		06/15/1923	SWSWNW	25	32N	14E	HI	UT	BIG SANDY CREEK	ARNEY, SYLVIA M MCGILLIVRAY, EMMA JANE MCGILLIVRAY, JERRY
40H W 49683		USE	DM	10.00 GPM	07/15/1915	SESWSW	31	32N	15E	HI		GROUNDWATER	FLOREN, ROBERT FLOREN, VONDA
40H W 65380		USE	ST		08/13/1961	SWSWSE	10	29N	11E	CH		FOURTEENMILE COULEE	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40H W 65381		USE	WI		08/13/1961	SWSWSE	10	29N	11E	CH		FOURTEENMILE COULEE	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40H W 65382		USE	WI	4.98 GPM	02/29/1964	NWNENW	11	29N	12E	CH		GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40H W 65383		USE	ST	4.98 GPM	02/29/1964	NWNENW	11	29N	12E	CH		GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40H W 65384		USE	WI		06/30/1960	SWSWNW	15	29N	12E	CH	MP	INTERIOR DRAINAGE	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40H W 65385		USE	ST		06/30/1960	SWSWNW	15	29N	12E	CH	MP	INTERIOR DRAINAGE	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40H W 65386		USE	WI		06/30/1971	SWSENE	17	29N	12E	CH	MP	INTERIOR DRAINAGE	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40H W 65387		USE	ST		06/30/1971	SWSENE	17	29N	12E	CH	MP	INTERIOR DRAINAGE	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40H W 65388		USE	WI		12/13/1965	SWNWSW	18	29N	12E	CH	MP	INTERIOR DRAINAGE	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40H W 65389		USE	ST		12/13/1965	SWNWSW	18	29N	12E	CH	MP	INTERIOR DRAINAGE	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)

**DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
BIG SANDY CREEK
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40H W 65390		USE	ST	3.01 GPM	11/17/1981	SWNWNW	19	29N	12E	CH		GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40H W 65391		USE	WI	3.01 GPM	11/17/1981	SWNWNW	19	29N	12E	CH		GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40H W 65392		USE	WI		10/31/1970	SESENW	20	29N	12E	CH	MP	INTERIOR DRAINAGE	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40H W 65393		USE	ST		10/31/1970	SESENW	20	29N	12E	CH	MP	INTERIOR DRAINAGE	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40H W 65394		USE	WI		09/30/1959	NENENE	30	29N	12E	CH	MP	INTERIOR DRAINAGE	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40H W 65395		USE	ST		09/30/1959	NENENE	30	29N	12E	CH	MP	INTERIOR DRAINAGE	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40H W 65396		USE	WI		11/15/1956	NENENE	30	29N	12E	CH	UT	INTERIOR DRAINAGE	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40H W 65397		USE	ST		11/15/1956	NENENE	30	29N	12E	CH	UT	INTERIOR DRAINAGE	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40H W 65398		USE	WI	2.02 GPM	08/18/1959	NESW	32	29N	12E	CH		GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40H W 65399		USE	ST	2.02 GPM	08/18/1959	NESW	32	29N	12E	CH		GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40H W 65400		USE	ST		10/12/1954	SWSENE	33	29N	12E	CH		LONESOME LAKE COULEE	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40H W 100683		USE	DM	20.00 GPM	12/31/1917	SWSWSE	14	30N	15E	HI	SP	KEIFER COULEE	NY STROM, SHAWN D
40H W 100684		USE	ST		12/31/1917	SWSWSE	14	30N	15E	HI	SP	KEIFER COULEE	NY STROM, SHAWN D
40H W 100685		USE	ST		12/31/1917	SESWSE	14	30N	15E	HI	SP	KEIFER COULEE	NY STROM, SHAWN D
40H W 100686		USE	ST		12/31/1917	NESW/NW	23	30N	15E	HI	SP	KEIFER COULEE	NY STROM, SHAWN D
40H W 100687		USE	ST		12/31/1917	NENWSE	15	30N	15E	HI	SP	KEIFER COULEE	NY STROM, SHAWN D
40H W 100688		USE	ST		12/31/1917	SESESE	15	30N	15E	HI	SP	KEIFER COULEE	NY STROM, SHAWN D
40H W 100689		USE	ST		12/31/1917	NESENW	15	30N	15E	HI	SP	KEIFER COULEE	NY STROM, SHAWN D
40H W 100690		USE	ST		12/31/1917	NENWSW	11	30N	15E	HI	SP	SPRING COULEE	NY STROM, SHAWN D
40H W 100691		USE	ST		12/31/1917	SESWNE	22	30N	15E	HI	SP	KEIFER COULEE	NY STROM, SHAWN D
40H W 100692		USE	ST		12/31/1917	NESESE	22	30N	15E	HI	SP	KEIFER COULEE	NY STROM, SHAWN D
40H W 100693		USE	ST		12/31/1917	SESENE	26	30N	15E	HI	SP	KEIFER COULEE	NY STROM, SHAWN D
40H W 100694		USE	ST		12/31/1917	SESENE	26	30N	15E	HI	SP	BIG KNIFE COULEE	NY STROM, SHAWN D
40H W 100695		USE	ST		12/31/1917	NW/NWNE	35	30N	15E	HI	SP	BIG KNIFE COULEE	NY STROM, SHAWN D
40H W 100696		USE	ST		12/31/1917	NWSENE	35	30N	15E	HI	SP	BIG KNIFE COULEE	NY STROM, SHAWN D
40H W 100697		USE	ST		12/31/1917	SESWNW	35	30N	15E	HI	SP	BIG KNIFE COULEE	NY STROM, SHAWN D
40H W 100698		USE	ST		12/31/1917	SWNWNW	22	30N	15E	HI	SP	KEIFER COULEE	NY STROM, SHAWN D
40H W 100699		USE	ST		12/31/1917	NESESW	15	30N	15E	HI	SP	KEIFER COULEE	NY STROM, SHAWN D

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40H W 100700		USE	ST		12/31/1917	SESWNW	22	30N	15E	HI	SP	KEIFER COULEE	NYSTROM, SHAWN D
40H W 100701		USE	ST		12/31/1917	NENWSE	14	30N	15E	HI	SP	KEIFER COULEE	NYSTROM, SHAWN D
40H W 100702		USE	ST		12/31/1917	NESENW	14	30N	15E	HI	SP	KEIFER COULEE	NYSTROM, SHAWN D
40H W 102058		USE	ST		11/03/1967	NENWSW	28	28N	11E	CH		TWELVEMILE COULEE	TYLER, RANDALL
40H W 102059		USE	ST		10/29/1945	SESWSW	28	28N	11E	CH	UT	TWELVEMILE COULEE	TYLER, RANDALL
40H W 102060		USE	ST		10/15/1936	SWSWSW	28	28N	11E	CH	UT	TWELVEMILE COULEE	TYLER, RANDALL
40H W 102061		USE	LG		10/22/1960	NENESE	29	28N	11E	CH	UT	TWELVEMILE COULEE	TYLER, RANDALL
40H W 102062		USE	LG		11/03/1967	NENWSW	28	28N	11E	CH		TWELVEMILE COULEE	TYLER, RANDALL
40H W 103942		USE	ST		12/31/1965	NENWNW	5	29N	13E	CH	UT	BIG SANDY CREEK	GRASS & SONS INC
40H W 103943		FILED	ST		06/07/1951	NESWNW	32	30N	13E	HI	SP	BARNEYS COULEE	GRASS & SONS INC
40H W 103944		USE	ST		12/31/1948	NWSENE	1	29N	12E	CH	UT	BIG SANDY CREEK	GRASS, JOHN
40H W 103945		USE	ST		12/31/1948	SENWSW	19	30N	13E	HI		JEROME COULEE	GRASS & SONS INC
40H W 103946		FILED	ST		05/30/1951	SESESE	30	30N	13E	HI		BARNEYS COULEE	GRASS & SONS INC
40H W 103947		USE	ST		12/31/1952	NESENE	31	30N	13E	HI	UT	BARNEYS COULEE	GRASS & SONS INC
40H W 103948		FILED	IR		06/07/1951	S2NW	32	30N	13E	HI &	SI	BARNEYS COULEE	GRASS & SONS INC
40H W 103949		FILED	IR		06/11/1951	W2SWSW	29	30N	13E	HI &	SI	BARNEYS COULEE	GRASS & SONS INC
40H W 103950		USE	ST		09/15/1952	SESWNE	2	27N	13E	CH	UT	BIG SANDY CREEK	BERLINGER, COREY BERLINGER, RITA
40H W 103951		USE	ST		10/15/1954	SWSENW	6	27N	14E	CH	UT	BIG SANDY CREEK	BERLINGER, COREY BERLINGER, RITA
40H W 103952		USE	ST		10/30/1957	SWNWSE	35	28N	13E	CH	UT	BIG SANDY CREEK	BERLINGER, COREY BERLINGER, RITA
40H W 103953		USE	ST		06/10/1953	NWSWNE	31	28N	14E	CH	UT	BIG SANDY CREEK	BERLINGER, COREY BERLINGER, RITA
40H W 103954		USE	ST		12/31/1927	NENENE	13	32N	13E	HI		SPRINKLE COULEE	PETERSEN, BRADLEY E
40H W 103955		USE	LG		12/31/1927	NENENE	13	32N	13E	HI		SPRINKLE COULEE	PETERSEN, BRADLEY E
40H W 103956		USE	FP		11/16/1970	NESENE	32	29N	11E	CH	UT	TWELVEMILE COULEE	MARTY FARMS LLC
40H W 103957		USE	FW		12/31/1939	NENESE	20	29N	11E	CH		TWELVEMILE COULEE	MARTY, MARY E
40H W 103959		FILED	ST		05/01/1965	SESESW	5	28N	13E	CH	UT	BIG SANDY CREEK	VIELLEUX FAMILY TRUST

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40H W 103960		FILED	ST	2.00 GPM	06/29/1973	SWNE	7	28N	13E	CH	SP	BIG SANDY CREEK	VIELLEUX FAMILY TRUST
40H W 103961		FILED	ST	4.00 GPM	12/31/1955	SWSWSE	25	29N	12E	CH	SP	LONESOME LAKE COULEE	DANREUTHER, CORY
40H W 103962		FILED	ST		04/01/1964	W2NENE	6	28N	13E	CH	UT	BIG SANDY CREEK	DANREUTHER, CORY
40H W 103963		FILED	ST	3.00 GPM	05/01/1958	NENENW	30	29N	13E	CH	SP	LONESOME LAKE COULEE	DANREUTHER, CORY
40H W 103967		FILED	ST		06/01/1970	SESESW	19	29N	13E	CH	UT	LONESOME LAKE COULEE	DANREUTHER, CORY
40H W 103968		FILED	ST		04/01/1964	NWSESE	26	29N	12E	CH	UT	LONESOME LAKE COULEE	DANREUTHER, CORY
40H W 103969		FILED	ST	5.00 GPM	12/31/1942	NENESW	31	29N	13E	CH	SP	BIG SANDY CREEK	DANREUTHER, CALVIN DANREUTHER, MICHELLE
40H W 103970		USE	ST		12/31/1947	NWNWSE	25	29N	12E	CH	UT	LONESOME LAKE COULEE	DANREUTHER, CORY
40H W 103986		FILED	ST	3.00 GPM	12/30/1963	NWNWSW	17	31N	14E	HI	SP	BIG SANDY CREEK	INMAN, BEVERLY E KRASS, JILL KRASS, LORIN
40H W 103987		USE	ST		04/01/1973	SENE	17	31N	14E	HI	UT	BIG SANDY CREEK	INMAN, BEVERLY E KRASS, JILL KRASS, LORIN
40H W 103988		USE	ST		04/30/1941	SWNESW	17	31N	14E	HI	UT	BIG SANDY CREEK	INMAN, BEVERLY E KRASS, JILL KRASS, LORIN
40H W 103989		FILED	DM	10.00 GPM	09/01/1946	SWSESE	17	31N	14E	HI		GROUNDWATER	INMAN, BEVERLY E KRASS, JILL KRASS, LORIN
40H W 105909		USE	ST		04/04/1924	E2NWSW	1	31N	14E	HI &	UT	BIG SANDY CREEK	HOCKETT, JEFFRY R HOCKETT, KAYLEEN
40H W 107180		USE	ST		12/31/1938	SWNWSW	33	32N	15E	HI	UT	BIG SANDY CREEK	MONTANA, STATE OF UNIVERSITY SYSTEM (MSU)
40H W 110892		USE	ST		12/31/1920	NESENE	24	29N	12E	CH	UT	BIG SANDY CREEK	OPHUS, LAURENCE R
40H W 110912		USE	ST	5.00 GPM	09/15/1949	NWNENE	32	28N	13E	CH		GROUNDWATER	IX RANCH CO
40H W 110913		USE	ST	5.00 GPM	10/10/1949	SESENW	29	28N	13E	CH		GROUNDWATER	IX RANCH CO
40H W 110914		USE	ST	4.00 GPM	11/03/1949	SWSWNE	29	28N	13E	CH		GROUNDWATER	IX RANCH CO
40H W 110917		USE	ST	25.00 GPM	12/13/1949	NENENE	32	28N	13E	CH		GROUNDWATER	IX RANCH CO
40H W 110922		USE	ST		12/31/1888	NWNENW	3	27N	13E	CH	SP	BIG SANDY CREEK	IX RANCH CO

**DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
BIG SANDY CREEK
BASIN 40H
EXHIBIT C
WATER RIGHTS BY WATER RIGHT ID NUMBER**

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						QTR	SEC	TWP	RGE CN			
40H W 110928		FILED	ST	3.00 GPM	08/31/1960	NESESE	5	27N 15E	CH	SP	SALT COULEE	IX RANCH CO
40H W 110935		USE	ST		12/31/1895	NENWNW	9	27N 15E	CH	SP	GODFREY CREEK	IX RANCH CO
40H W 110936		USE	ST		12/31/1895	NESWNW	8	27N 15E	CH	SP	GODFREY CREEK	IX RANCH CO
40H W 110937		USE	ST		12/31/1895	NESWSE	5	27N 15E	CH	SP	SALT COULEE	IX RANCH CO
40H W 110938		USE	ST		12/31/1895	SENENW	4	27N 15E	CH	SP	SALT COULEE	IX RANCH CO
40H W 110942		USE	ST		12/31/1895	NESWNE	6	27N 14E	CH	SP	BIG SANDY CREEK	IX RANCH CO
40H W 110943		FILED	ST	4.00 GPM	09/30/1959	SENWNE	9	27N 14E	CH	SP	BIG SANDY CREEK	IX RANCH CO
40H W 110944		FILED	ST	2.00 GPM	12/30/1963	NWSENE	3	27N 14E	CH	SP	BIG SANDY CREEK	IX RANCH CO
40H W 110945		FILED	ST	3.00 GPM	09/30/1961	NESESE	3	27N 14E	CH	SP	BIG SANDY CREEK	IX RANCH CO
40H W 110947		FILED	ST	4.00 GPM	10/31/1959	SENWSE	34	28N 14E	CH	SP	BIG SANDY CREEK	IX RANCH CO
40H W 110948		DECREE	ST		05/24/1888	SWSW	17	28N 13E	CH &		BIG SANDY CREEK	IX RANCH CO
40H W 110959		USE	ST		06/30/1973	SWNWNW	2	27N 13E	CH	MP	INTERIOR DRAINAGE	IX RANCH CO
40H W 110967		USE	ST		09/30/1951	NWNENE	8	27N 14E	CH	UT	BIG SANDY CREEK	IX RANCH CO
40H W 110968		USE	ST		09/30/1952	NWNENE	8	27N 14E	CH	UT	BIG SANDY CREEK	IX RANCH CO
40H W 110973		USE	ST		12/31/1972	SWSESE	33	28N 13E	CH	UT	BIG SANDY CREEK	IX RANCH CO
40H W 110974		USE	ST		08/31/1961	SWNESW	34	28N 13E	CH	UT	BIG SANDY CREEK	IX RANCH CO
40H W 110975		USE	ST		09/30/1946	SWSWNW	34	28N 13E	CH	UT	BIG SANDY CREEK	IX RANCH CO
40H W 110976		USE	ST		09/30/1952	NESWSE	32	28N 14E	CH	UT	BIG SANDY CREEK	IX RANCH CO
40H W 110977		USE	ST		09/30/1952	SESWNE	32	28N 14E	CH	UT	BIG SANDY CREEK	IX RANCH CO
40H W 110978		USE	ST		09/30/1948	NWSENE	33	28N 14E	CH	UT	BIG SANDY CREEK	IX RANCH CO
40H W 110988		USE	ST		12/31/1888	N2NESE	7	27N 14E	CH &		GODFREY CREEK	IX RANCH CO
40H W 110999		USE	DM	16.00 GPM	10/31/1949	NESWSE	33	28N 13E	CH		GROUNDWATER	IX RANCH CO
40H W 111000		USE	DM	10.00 GPM	09/30/1961	NESESW	33	28N 13E	CH		GROUNDWATER	IX RANCH CO
40H W 111001		FILED	DM	5.00 GPM	12/30/1968	NESWSW	10	27N 14E	CH		GROUNDWATER	IX RANCH CO
40H W 111008		USE	IN		07/01/1962	N2NWN	33	30N 13E	HI	MP	INTERIOR DRAINAGE	HILL COUNTY REFUSE DISTRICT
40H W 112423		USE	ST		05/01/1972	NESENE	11	30N 13E	HI	UT	BIG SANDY CREEK	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 112424		USE	ST		05/01/1971	S2SESW	36	30N 12E	HI	UT	BIG SANDY CREEK	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 112425		USE	ST		05/01/1947	E2NENE	36	30N 12E	HI	UT	BARNEY'S COULEE	MONTANA STATE BOARD OF LAND COMMISSIONERS

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BIG SANDY CREEK
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EXHIBIT C
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						QTR	SEC	TWP	RGE CN				
40H W 112426		USE	ST	10.00 GPM	06/26/1945	NENENE	36	30N	12E	HI	GROUNDWATER	MONTANA STATE BOARD OF LAND COMMISSIONERS	
40H W 113520		USE	DM	7.00 GPM	12/31/1921	NENENE	34	31N	14E	HI	GROUNDWATER	LAREDO FINANCIAL BUSINESS & REAL ESTATE LLC	
40H W 114257		USE	ST	30.00 GPM	07/31/1919	SWSESW	2	31N	14E	HI	GROUNDWATER	BURNETT FAMILY TRUST	
40H W 114260		USE	DM	30.00 GPM	07/31/1919	SWSESW	2	31N	14E	HI	GROUNDWATER	BURNETT FAMILY TRUST	
40H W 114263		USE	DM	12.00 GPM	12/31/1930	SWSWNW	3	29N	11E	CH	SP	FOURTEENMILE COULEE	MONETTE FARMS USA INC
40H W 116876		USE	ST		06/30/1966	SWNWSW	8	29N	14E	CH	UT	DUCK CREEK	HANSON, LORRIE HANSON, PAUL
40H W 116877		FILED	ST		12/31/1946	SWSWSW	8	29N	14E	CH	UT	DUCK CREEK	HANSON, LORRIE HANSON, PAUL
40H W 116878		FILED	IR		04/30/1961	SENWNE	17	29N	14E	CH		DUCK CREEK, DRY FORK	POINTER, SANDI S
40H W 118951		USE	ST	10.00 GPM	06/30/1928	NESENE	23	30N	15E	HI	SP	KEIFER COULEE	BOYCE, DONALD L
40H W 118952		USE	ST		06/30/1928	SWNWSE	11	30N	15E	HI &	UT	SPRING COULEE	BOYCE, DONALD L
40H W 118955		USE	ST	10.00 GPM	06/30/1928	NWNWNW	24	30N	15E	HI	SP	KEIFER COULEE	BOYCE, DONALD L
40H W 118957		USE	ST		06/30/1928	NENWNE	28	30N	15E	HI &	UT	BIG SANDY CREEK	BOYCE, DONALD L
40H W 118958		USE	ST		06/30/1928	E2W2SW	22	30N	15E	HI &		KEIFER COULEE	BOYCE, DONALD L
40H W 118959		USE	ST		06/30/1928	NWNWNW	35	30N	15E	HI &	UT	GRAVEL COULEE	BOYCE, DONALD L
40H W 118961		USE	DM	10.00 GPM	06/01/1925	NESENE	23	30N	15E	HI	SP	KEIFER COULEE	BOYCE, DONALD L
40H W 121234		USE	ST		12/31/1916	W2W2SW	30	29N	16E	HI &		BOX ELDER CREEK	KALLENBERGER, DEBRA A KALLENBERGER, RAYMOND L
40H W 121235		USE	ST		12/31/1919	NWSWSE	31	29N	16E	HI	SP	BOX ELDER CREEK	KALLENBERGER, DEBRA A KALLENBERGER, RAYMOND L
40H W 121236		USE	ST		12/31/1919	NWNWSE	31	29N	16E	HI	SP	BOX ELDER CREEK	KALLENBERGER, DEBRA A KALLENBERGER, RAYMOND L
40H W 121237		USE	ST		12/31/1919	NWSWSE	30	29N	16E	HI	SP	SMALL BOY CREEK	KALLENBERGER, DEBRA A KALLENBERGER, RAYMOND L
40H W 121238		USE	ST		12/31/1919	NWSENE	30	29N	16E	HI	SP	BOX ELDER CREEK	KALLENBERGER, DEBRA A KALLENBERGER, RAYMOND L
40H W 121239		USE	ST		12/31/1919	SESENW	30	29N	16E	HI	SP	BOX ELDER CREEK	KALLENBERGER, DEBRA A KALLENBERGER, RAYMOND L
40H W 121240		USE	DM	20.00 GPM	12/31/1919	SESENW	30	29N	16E	HI	SP	BOX ELDER CREEK	KALLENBERGER, DEBRA A

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BIG SANDY CREEK
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40H W 121240		USE		20.00 GPM	12/31/1919	SESE	NW	16E	HI	SP	BOX ELDER CREEK	KALLENBERGER, RAYMOND L	
40H W 124539		USE	ST		12/31/1930	SWS	E	23 31N	14E	HI &	SPRING COULEE	ALTON, SUZANNE E WARITZ, LAWRENCE M WARITZ, NICHOLAS P WARITZ, STEVEN A	
40H W 128306		USE	ST		05/01/1915	E2N	E	21 32N	13E	HI	UT	SPRINKLE COULEE	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 131209		USE	ST		12/31/1898	N2S	ESW	20 28N	15E	CH &	UT	BIG SANDY CREEK	GREEN, HELEN C
40H W 131210		USE	ST		12/31/1898	N2S	ESE	19 28N	15E	CH &	UT	BIG SANDY CREEK	GREEN, HELEN C
40H W 131211		USE	ST		12/31/1920	N2N	NW	35 28N	15E	CH &		GREEN CREEK	GREEN, HELEN C
40H W 131212		USE	ST		12/31/1898	SWN	WSW	20 28N	15E	CH	SP	BIG SANDY CREEK	GREEN, HELEN C
40H W 131213		USE	ST		12/31/1920	NW	NENW	34 28N	15E	CH	SP	GREEN CREEK	GREEN, HELEN C
40H W 131214		USE	ST		12/31/1898	SWS	WSW	20 28N	15E	CH	SP	BIG SANDY CREEK	GREEN, HELEN C
40H W 131215		FILED	ST	24.00 GPM	11/13/1962	SES	WSE	13 28N	12E	CH		GROUNDWATER	GREEN, HELEN C
40H W 131216		FILED	ST	25.00 GPM	12/31/1898	NW	SESW	20 28N	15E	CH	SP	BIG SANDY CREEK	GREEN, HELEN C
40H W 131218		FILED	DM	25.00 GPM	12/31/1898	NW	SESW	20 28N	15E	CH	SP	BIG SANDY CREEK	GREEN, HELEN C
40H W 131219		USE	ST		03/01/1957	S2	SENE	35 32N	14E	HI	UT	BIG SANDY CREEK	HOCKETT, JEFFRY R
40H W 131220		USE	ST		09/01/1955	NWN	WSE	3 31N	14E	HI	UT	CONNER COULEE	HOCKETT, JEFFRY R
40H W 131221		USE	ST		11/30/1968	SWS	WSE	35 32N	14E	HI	UT	BIG SANDY CREEK	HOCKETT, JEFFRY R
40H W 131222		USE	IR		12/11/1963	S2	SWSE	35 32N	14E	HI	UT	BIG SANDY CREEK	HOCKETT, JEFFRY R
40H W 131223		USE	IR		03/10/1954	N2N	NW	35 32N	14E	HI	UT	BIG SANDY CREEK	HOCKETT, JEFFRY R
40H W 131225		USE	FW		05/01/1920	SEN	WSW	25 32N	13E	HI	UT	BIG SANDY CREEK	RILEY, RYAN
40H W 131226		USE	ST		05/01/1920	NW	NENW	23 32N	13E	HI	UT	SPRINKLE COULEE	RILEY, RYAN
40H W 131227		USE	ST		05/01/1920	NW	NENE	14 32N	13E	HI		SPRINKLE COULEE	RILEY, RYAN
40H W 131229		USE	ST		05/01/1955	W2N	WSW	15 32N	13E	HI	UT	SPRINKLE COULEE	RILEY, RYAN
40H W 131230		USE	ST		05/01/1920	SWS	ENE	8 32N	13E	HI	UT	SPRINKLE COULEE	RILEY, RYAN
40H W 131231		USE	IR	44.00 GPM	12/31/1960	NWN	WSW	4 32N	15E	HI		BIG SANDY CREEK	GILGE, AMBER I GILGE, KODY L
40H W 131278		USE	ST	35.00 GPM	01/01/1956	NWN	ESW	24 30N	13E	HI		GROUNDWATER	HANSON, LORRIE HANSON, PAUL

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						QTR	SEC	TWP	RGE CN				
40H W 131279		USE	ST		12/31/1919	SWNE	27	30N	13E	HI &	UT	BIG SANDY CREEK	HANSON, COLLIN J HANSON, KAITLIN A HANSON, LORRIE HANSON, PAUL
40H W 131280		USE	ST		06/30/1951	SESWNE	27	30N	13E	HI	UT	BIG SANDY CREEK	HANSON, COLLIN J HANSON, KAITLIN A
40H W 131282		USE	ST		06/30/1919	NESWSW	25	30N	13E	HI	SP	BIG SANDY CREEK	HANSON, LORRIE HANSON, PAUL
40H W 131283		USE	ST		12/31/1916	N2SWSW	25	30N	13E	HI	UT	BIG SANDY CREEK	HANSON, LORRIE HANSON, PAUL
40H W 131284		USE	ST		12/31/1916	SENESE	26	30N	13E	HI	UT	BIG SANDY CREEK	HANSON, LORRIE HANSON, PAUL
40H W 131289		USE	ST	20.00 GPM	12/31/1919	NWSWSW	25	30N	13E	HI	SP	BIG SANDY CREEK	HANSON, LORRIE HANSON, PAUL
40H W 131291		USE	ST		06/30/1956	NWNENW	24	30N	13E	HI	UT	BIG SANDY CREEK	HANSON, LORRIE HANSON, PAUL
40H W 131292		USE	ST		06/30/1956	N2SENW	24	30N	13E	HI	UT	BIG SANDY CREEK	HANSON, LORRIE HANSON, PAUL
40H W 131293		USE	ST	15.00 GPM	06/30/1954	SENENW	26	30N	13E	HI		GROUNDWATER	HANSON, LORRIE HANSON, PAUL
40H W 131294		USE	ST	15.00 GPM	06/30/1954	NWSWSW	26	30N	13E	HI		GROUNDWATER	HANSON, LORRIE HANSON, PAUL
40H W 131295		USE	ST		06/30/1970	NWSWSE	24	30N	13E	HI	UT	BIG SANDY CREEK	HANSON, LORRIE HANSON, PAUL
40H W 131296		USE	ST		06/30/1960	NESWSE	27	30N	13E	HI	UT	BIG SANDY CREEK	HANSON, COLLIN J HANSON, KAITLIN A
40H W 131297		FILED	DM	35.00 GPM	12/31/1935	SESESE	27	30N	13E	HI		GROUNDWATER	HANSON, LORRIE HANSON, PAUL
40H W 131298		USE	DM	10.00 GPM	06/30/1955	SESESW	27	30N	11E	HI		GROUNDWATER	MONETTE FARMS USA INC
40H W 131304		USE	ST		12/31/1938	SWNWNW	3	30N	15E	HI	UT	SPRING COULEE, SOUTH FORK	GRAND COULEE FARMS LLC GREGOIRE, BRAD
40H W 131349		USE	ST		06/25/1958	NWNWNE	35	31N	15E	HI	UT	SPRING COULEE	SCHAUB, DANIEL B

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						QTR	SEC	TWP	RGE CN				
40H W 131354		USE	ST		06/01/1920	NWSWSE	35	31N	15E	HI	SP	SPRING COULEE	KAFKA, KIM J
40H W 131365		USE	ST		06/01/1972	SWSNW	11	30N	15E	HI	UT	SPRING COULEE	PIKE, BRYAN K
40H W 131367		USE	ST		09/01/1923	NENENW	2	30N	15E	HI	SP	SPRING COULEE	KAFKA, KIM J
40H W 131368		USE	ST		09/01/1920	NENENE	21	31N	15E	HI	SP	BIG SANDY CREEK	BUTLER, KARLYN KAFKA, ANDREW
40H W 131955		USE	ST		01/01/1952	SESW	10	30N	13E	HI	MP	BIG SANDY CREEK	NIEDEREGGER, PAUL NIEDEREGGER, VICKI F
40H W 131956		USE	ST		01/01/1969	SESW	10	30N	13E	HI	MP	BIG SANDY CREEK	NIEDEREGGER, PAUL NIEDEREGGER, VICKI F
40H W 135761		USE	ST		05/15/1956	NWSWNW	21	29N	11E	CH		TWELVEMILE COULEE	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 136041		USE	ST		05/29/1911	NESWSE	14	30N	13E	HI		BIG SANDY CREEK	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 136043		USE	ST		11/27/1903	S2SWSE	15	30N	13E	HI		BIG SANDY CREEK	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 136054		USE	ST		04/15/1946	S2SWNW	4	30N	14E	HI		DRY FORK COULEE	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 136055		USE	ST		04/15/1946	S2SENE	5	30N	14E	HI		DRY FORK COULEE	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 136056		USE	ST		04/15/1940	W2SW	16	31N	14E	HI &		BIG SANDY CREEK	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 136086		USE	ST		04/15/1927	S2NE	2	30N	14E	HI &		GRAVEL COULEE	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 136087		USE	ST		04/15/1927	SWNWNW	14	30N	14E	HI	UT	BIG SANDY CREEK	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 136088		USE	ST		04/15/1927	SWSE	10	30N	14E	HI	UT	BIG SANDY CREEK	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 139973		FILED	ST	10.00 GPM	06/01/1968	SWSNW	2	28N	12E	CH	UT	LONESOME LAKE COULEE	TERRY, ROGER K
40H W 139975		USE	ST		12/31/1920	SWNWSE	35	29N	12E	CH	SP	LONESOME LAKE COULEE	KATCO FARMS INC
40H W 142631		USE	IN	10.00 GPM	12/31/1960	NESWNW	35	30N	13E	HI		GROUNDWATER	BNSF RAILWAY CO
40H W 144016		USE	LG	34.00 GPM	12/31/1932	SESWSE	5	32N	15E	HI		BIG SANDY CREEK	WARREN, HILARY
40H W 144068		USE	ST		12/21/1972	NENWNW	13	28N	10E	CH	UT	TWELVEMILE COULEE	OSTROM, CHERYL OSTROM, MARK
40H W 144087		USE	ST		12/31/1947	NESWSE	4	30N	15E	HI	UT	UNNAMED TRIBUTARY OF SOUTH FORK SPRING COULEE	STRAUSER, SCOT W
40H W 144088		USE	ST		12/31/1963	NESWSW	4	30N	15E	HI	UT	UNNAMED TRIBUTARY OF SOUTH FORK SPRING COULEE	STRAUSER, SCOT W
40H W 144089		USE	DM		12/31/1919	NESWSE	4	30N	15E	HI	SP	UNNAMED TRIBUTARY OF SOUTH FORK SPRING COULEE	STRAUSER, SCOT W

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						QTR SEC	SEC TWP	RGE	CN				
40H W 144090		FILED	IR		11/18/1916	SWNESE	4	30N	15E	HI	UT	UNNAMED TRIBUTARY OF SOUTH FORK SPRING COULEE	STRAUSER, SCOT W
40H W 144091		USE	IR	214.20 GPM	12/31/1947	SWNENW	17	30N	15E	HI		KEIFER COULEE	STRAUSER, SCOT W
40H W 144092		FILED	FW		10/08/1970	NWNWSW	8	30N	15E	HI	UT	GRAVEL COULEE	STRAUSER, SCOT W
40H W 144169		USE	ST		12/31/1950	NESWSE	17	29N	12E	CH	UT	INTERIOR DRAINAGE	RND ACRES INC
40H W 144170		USE	ST		12/31/1959	SENESE	12	29N	11E	CH	UT	BIG SANDY CREEK	TRIPLE E INC
40H W 144171		USE	ST		12/31/1948	NWNWNW	8	29N	12E	CH	UT	INTERIOR DRAINAGE	TRIPLE E INC
40H W 144246		FILED	ST	20.00 GPM	12/31/1949	NWNENE	19	28N	13E	CH		GROUNDWATER	JAPPE, ELLA MARIE JAPPE, LAWRENCE V
40H W 144249		FILED	ST	10.00 GPM	06/03/1970	NENENE	19	28N	13E	CH		GROUNDWATER	JAPPE, ELLA MARIE JAPPE, LAWRENCE V
40H W 144250		FILED	LG	20.00 GPM	12/31/1941	SWSENW	19	28N	13E	CH		GROUNDWATER	JAPPE, ELLA MARIE JAPPE, LAWRENCE V
40H W 144251		FILED	FP	200.00 GPM	12/31/1955	NWSWSW	18	28N	13E	CH		GROUNDWATER	BIG SANDY, TOWN OF
40H W 144253		FILED	MC	100.00 GPM	12/31/1918	NWNWNW	20	28N	13E	CH		BIG SANDY CREEK	BIG SANDY, TOWN OF
40H W 144314		USE	DM		09/23/1942	SWSESW	34	29N	10E	CH	UT	SIXMILE COULEE	CHRISTOFFERSON, ORVAL C
40H W 144392		USE	IR	250.00 GPM	04/01/1945	SENESE	27	32N	14E	HI		BIG SANDY CREEK	HOCKETT, JEFFRY R
40H W 144393		USE	ST		12/31/1915	NENESW	35	29N	11E	CH	UT	INTERIOR DRAINAGE	BAHN INC BAHNMILLER FAMILY PARTNERSHIP
40H W 144394		USE	DM	30.00 GPM	12/31/1912	NENENE	2	28N	11E	CH		GROUNDWATER	BAHNMILLER LAND CO BAHNMILLER, MICHELLE
40H W 144395		USE	ST		12/31/1915	N2SWSW	29	29N	11E	CH	MP	TWELVEMILE COULEE	ED VENTURES INC EDWARDS, CRAIG
40H W 144396		USE	ST		12/31/1917	SWSENW	29	29N	11E	CH		TWELVEMILE COULEE	ED VENTURES INC EDWARDS, CRAIG
40H W 144397		USE	ST		10/01/1971	SESESE	26	28N	10E	CH	UT	TWELVEMILE COULEE	MINER, MARILYN B
40H W 144398		USE	ST		11/30/1966	SWSWSW	1	28N	10E	CH	UT	TWELVEMILE COULEE	OSTROM, CHERYL OSTROM, MARK
40H W 144399		USE	ST		10/01/1971	SENESE	26	28N	10E	CH	UT	TWELVEMILE COULEE	MINER, MARILYN B
40H W 144400		USE	ST		12/31/1940	SESENE	10	28N	10E	CH	UT	TWELVEMILE COULEE	MINER, MARILYN B

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BIG SANDY CREEK
BASIN 40H
EXHIBIT C
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						QTR	SEC	TWP	RGE CN				
40H W 144401		USE	ST		12/31/1940	NENWNE	3	28N	10E	CH	UT	SIXMILE COULEE	MINER, MARILYN B
40H W 144402		USE	ST		12/31/1930	NENWNW	27	28N	10E	CH	UT	TWELVEMILE COULEE	MINER, MARILYN B
40H W 144403		FILED	ST	5.00 GPM	12/31/1915	NENWNE	3	28N	10E	CH		GROUNDWATER	MINER, MARILYN B
40H W 144404		USE	ST		12/31/1940	NENENE	10	28N	10E	CH	UT	TWELVEMILE COULEE	MINER, MARILYN B
40H W 144405		FILED	ST	5.00 GPM	12/31/1916	NWNWNE	10	28N	10E	CH		GROUNDWATER	MINER, MARILYN B
40H W 144406		USE	ST		06/22/1911	NWNWSE	22	28N	10E	CH		TWELVEMILE COULEE	ROBINSON, ANNA MARIE ROBINSON, RANDY L
40H W 144407		FILED	DM	7.00 GPM	12/31/1957	SESESE	2	28N	10E	CH		GROUNDWATER	MINER, MARILYN B
40H W 144576		USE	ST		12/31/1967	NENESW	20	31N	15E	HI	UT	CONNER COULEE	BAR TRIANGLE J RANCH INC
40H W 144577		USE	ST		07/31/1971	NWSESW	20	31N	15E	HI	UT	CONNER COULEE	BAR TRIANGLE J RANCH INC
40H W 144578		USE	ST		12/31/1941	NWSWSE	20	31N	15E	HI	UT	CONNER COULEE	BAR TRIANGLE J RANCH INC
40H W 144579		USE	ST		12/31/1940	NESENW	27	31N	15E	HI	UT	SPRING COULEE	BAR TRIANGLE J RANCH INC
40H W 144580		USE	ST		12/31/1922	SWNWNE	30	31N	15E	HI	SP	CONNER COULEE	BAR TRIANGLE J RANCH INC
40H W 144581		USE	ST		12/31/1966	W2SWNW	27	31N	15E	HI	UT	SPRING COULEE	BAR TRIANGLE J RANCH INC
40H W 144582		USE	ST	10.00 GPM	12/31/1920	NESENW	27	31N	15E	HI		GROUNDWATER	BAR TRIANGLE J RANCH INC
40H W 144583		USE	ST	3.00 GPM	12/31/1918	NWSWSE	20	31N	15E	HI		GROUNDWATER	BAR TRIANGLE J RANCH INC
40H W 144584		FILED	ST	5.00 GPM	09/13/1972	NESESW	20	31N	15E	HI		GROUNDWATER	BAR TRIANGLE J RANCH INC
40H W 144585		FILED	DM	5.00 GPM	09/13/1972	NESESW	20	31N	15E	HI		GROUNDWATER	BAR TRIANGLE J RANCH INC
40H W 144586		USE	DM	3.00 GPM	12/31/1918	NWSWSE	20	31N	15E	HI		GROUNDWATER	BAR TRIANGLE J RANCH INC
40H W 144587		USE	DM	10.00 GPM	12/31/1920	NESENW	27	31N	15E	HI		GROUNDWATER	BAR TRIANGLE J RANCH INC
40H W 144597		USE	ST		09/30/1971	SWSENW	21	31N	15E	HI	UT	CONNER COULEE	VOSEN, GLORIA VOSEN, JAYMES M
40H W 144600		FILED	DM	25.00 GPM	07/22/1969	NENWNW	9	32N	15E	HI		GROUNDWATER	NORMANDY, BRUCE A NORMANDY, JOANN L
40H W 144751		FILED	DM	8.00 GPM	05/03/1961	NWNWSW	4	32N	15E	HI		GROUNDWATER	HANSON, DAVID L HANSON, LARK L
40H W 144752		FILED	IR	1,500.00 GPM	05/01/1912	NENESE	5	32N	15E	HI &		BIG SANDY CREEK	HANSON, DAVID L HANSON, LARK L
40H W 144754		FILED	IR	553.81 GPM	04/25/1914	NWSWNW	4	32N	15E	HI		BIG SANDY CREEK	HANSON, DAVID L HANSON, LARK L

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BIG SANDY CREEK
BASIN 40H
EXHIBIT C
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						QTR SEC	SEC TWP	RGE	CN				
40H W 144755		USE	LG	10.00 GPM	05/15/1935	SWSWSW	34	32N	14E	HI	BIG SANDY CREEK	SOULE, SHARI L SOULE, STEPHEN J	
40H W 144756		USE	ST		04/30/1941	S2SESE	32	29N	10E	CH	UT	SIXMILE COULEE	BOETTCHER, EARL
40H W 144757		USE	DM		04/30/1941	S2SESE	32	29N	10E	CH	UT	SIXMILE COULEE	BOETTCHER, EARL
40H W 144868		FILED	ST		06/01/1960	N2SWSE	5	29N	12E	CH	UT	INTERIOR DRAINAGE	BITZ, FRED
40H W 146769		USE	ST		12/15/1898	E2SENW	10	27N	14E	CH	UT	GODFREY CREEK	IX RANCH CO
40H W 152356		USE	ST	5.00 GPM	12/31/1954	NENENW	8	28N	13E	CH		GROUNDWATER	VIELLEUX, LARRY VIELLEUX, LYNDA
40H W 152357		USE	ST		12/31/1900	SWNE	10	28N	14E	CH &		GORMAN CREEK	RAMER, SHIRLEY M FAMILY TRUST
40H W 152358		USE	ST	10.00 GPM	12/31/1948	NWSWNW	9	28N	14E	CH		GROUNDWATER	RAMER, SHIRLEY M FAMILY TRUST
40H W 152359		USE	ST	10.00 GPM	12/31/1919	SENESE	8	28N	14E	CH		GROUNDWATER	RAMER, SHIRLEY M FAMILY TRUST
40H W 152360		USE	ST		12/31/1952	NENESW	8	28N	14E	CH	SP	GORMAN CREEK	RAMER, SHIRLEY M FAMILY TRUST
40H W 152361		USE	ST		12/31/1900	SESWSW	4	28N	14E	CH	SP	UNNAMED TRIBUTARY OF NORTH FORK GORMAN CREEK	RAMER, SHIRLEY M FAMILY TRUST
40H W 152362		USE	ST		12/31/1910	SENESE	1	28N	13E	CH	UT	COAL MINE COULEE	RAMER, SHIRLEY M FAMILY TRUST
40H W 152363		USE	ST		12/31/1910	NENESW	7	28N	14E	CH	UT	GORMAN CREEK	RAMER, SHIRLEY M FAMILY TRUST
40H W 152364		USE	DM	10.00 GPM	12/31/1919	SENESE	8	28N	14E	CH		GROUNDWATER	RAMER, SHIRLEY M FAMILY TRUST
40H W 152365		USE	DM	10.00 GPM	12/31/1948	NWSWNW	9	28N	14E	CH		GROUNDWATER	RAMER, SHIRLEY M FAMILY TRUST
40H W 154544		USE	ST		12/31/1945	SESWNW	4	31N	15E	HI	UT	BIG SANDY CREEK	OTTO, ALLAN D OTTO, LUCINDA F
40H W 154546		USE	ST		12/31/1952	SWSENE	27	31N	15E	HI	UT	SPRING COULEE	BOSS, DARRIN L LAMB, PEGGY F
40H W 155107		FILED	ST	4.00 GPM	09/06/1963	NWNWSE	32	30N	13E	HI		GROUNDWATER	NIEDEREGGER, PAUL NIEDEREGGER, VICKI F
40H W 155109		USE	ST		01/01/1949	SWSWSE	16	30N	13E	HI	UT	BIG SANDY CREEK	NIEDEREGGER, PAUL NIEDEREGGER, VICKI F
40H W 155110		FILED	ST	3.00 GPM	05/06/1964	NESESW	15	30N	13E	HI		GROUNDWATER	NIEDEREGGER, PAUL NIEDEREGGER, VICKI F
40H W 155113		USE	ST		01/01/1939	SESWNW	21	30N	13E	HI	UT	BIG SANDY CREEK	NIEDEREGGER, PAUL NIEDEREGGER, VICKI F

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40H W 155114		FILED	ST	15.00 GPM	12/19/1940	NWSESE	29	30N	13E	HI		GROUNDWATER	NIEDEREGGER, PAUL NIEDEREGGER, VICKI F
40H W 155115		USE	ST		01/01/1965	SWSNW	15	30N	13E	HI	UT	BIG SANDY CREEK	NIEDEREGGER, PAUL NIEDEREGGER, VICKI F
40H W 155129		USE	DM	15.00 GPM	12/19/1940	NWSESE	29	30N	13E	HI		GROUNDWATER	NIEDEREGGER, PAUL NIEDEREGGER, VICKI F
40H W 155130		FILED	IR	15.30 CFS	03/07/1892	NWSWSW	28	30N	13E	HI		BIG SANDY CREEK	NIEDEREGGER, PAUL NIEDEREGGER, VICKI F
40H W 155611		USE	ST		12/31/1952	NWSESE	17	29N	11E	CH		SIXMILE COULEE	ED VENTURES INC
40H W 155612		USE	DM	30.00 GPM	10/01/1960	NWNWNE	10	28N	13E	CH		GROUNDWATER	RAY, JAMES C RAY, MARLA J
40H W 155614		USE	IR		04/03/1915	NWSWNE	15	28N	13E	CH	UT	BIG SANDY CREEK	GENEREUX, DEANA GENEREUX, WALTER E
40H W 155615		FILED	ST	16.50 GPM	12/31/1951	NENENE	2	27N	13E	CH		GROUNDWATER	BERLINGER, COREY BERLINGER, RITA
40H W 155616		FILED	ST	5.00 GPM	12/12/1967	SENWSW	31	28N	14E	CH	SP	BIG SANDY CREEK	BERLINGER, COREY BERLINGER, RITA
40H W 155617		FILED	ST	2.00 GPM	09/30/1959	SESENW	1	27N	13E	CH	SP	BIG SANDY CREEK	BERLINGER, COREY BERLINGER, RITA
40H W 155618		FILED	DM	6.00 GPM	10/15/1955	SWSWNE	2	27N	13E	CH		GROUNDWATER	BERLINGER, COREY BERLINGER, RITA
40H W 155619		USE	ST		06/09/1911	NESW	32	29N	13E	CH &		BIG SANDY CREEK	DANREUTHER, CORY
40H W 155620		USE	ST		12/31/1900	SENWNW	20	28N	15E	CH &		BIG SANDY CREEK	RUNNION, ROY
40H W 155621		USE	DM	1.00 GPM	12/31/1900	SENEW	20	28N	15E	CH		BIG SANDY CREEK	RUNNION, ROY
40H W 155779		FILED	ST	10.00 GPM	07/01/1956	SWNWSW	30	30N	13E	HI		GROUNDWATER	BITZ, ELIZABETH J BITZ, RONALD A HEPPNER, SHERRI L LAZY TZ FARMS INC
40H W 155780		USE	ST		06/07/1930	SWNESW	30	30N	13E	HI		BARNEYS COULEE	BITZ, ELIZABETH J BITZ, RONALD A HEPPNER, SHERRI L LAZY TZ FARMS INC

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40H W 155781		USE	ST		10/03/1956	NWNWSW	30	30N	13E	HI	JEROME COULEE	BITZ, ELIZABETH J BITZ, RONALD A HEPPNER, SHERRI L LAZY TZ FARMS INC
40H W 155782		USE	ST		11/14/1949	S2SESW	24	30N	12E	HI	UT BARNEYS COULEE	BITZ, ELIZABETH J BITZ, RONALD A HEPPNER, SHERRI L LAZY TZ FARMS INC
40H W 155783		USE	DM	20.00 GPM	12/31/1909	SESWSE	23	30N	12E	HI	GROUNDWATER	BITZ, ELIZABETH J BITZ, RONALD A HEPPNER, SHERRI L LAZY TZ FARMS INC
40H W 155784		USE	ST		04/30/1955	NENENW	12	29N	10E	CH	UT SIXMILE COULEE	COOKE, DUANE A COOKE, LELA L
40H W 155785		USE	ST		04/30/1955	NWNWNE	12	29N	10E	CH	UT SIXMILE COULEE	COOKE, DUANE A COOKE, LELA L
40H W 155786		DECREE	IR	2.02 CFS	09/10/1888	NWNWNW	6	29N	14E	CH	BOX ELDER CREEK	CORCORAN, KEVIN D CORCORAN, MATTHEW
40H W 155787		USE	ST		12/31/1948	S2SWSE	34	30N	12E	HI	UT INTERIOR DRAINAGE	CHOHILL ACRES INC
40H W 155857		USE	ST		03/31/1920	NENWNW	5	31N	15E	HI	SP BIG SANDY CREEK	MAJERUS, PAMELA MAJERUS, TERRY
40H W 156791		USE	ST		12/31/1916	SWSWNE	28	31N	15E	HI	SP SPRING COULEE	QUIROZ, KARIN
40H W 156794		USE	ST	20.00 GPM	12/31/1956	SWNENE	5	29N	10E	CH	GROUNDWATER	KANNBERG, DENNIS L
40H W 156795		USE	DM	20.00 GPM	12/31/1956	SWNENE	5	29N	10E	CH	GROUNDWATER	KANNBERG, DENNIS L
40H W 157216		USE	ST		01/01/1907	SESE	32	30N	13E	HI &	BIG SANDY CREEK	NIEDEREGGER, PAUL NIEDEREGGER, VICKI F
40H W 157217		USE	ST		01/01/1907	SWNENW	33	30N	13E	HI &	BOX ELDER CREEK	NIEDEREGGER, PAUL NIEDEREGGER, VICKI F
40H W 157226		USE	IR	4.70 CFS	02/20/1951	NWSWSW	28	30N	13E	HI	BIG SANDY CREEK	NIEDEREGGER, PAUL NIEDEREGGER, VICKI F
40H W 157675		USE	IR	1,300.00 GPM	06/15/1952	NWNWNW	4	32N	15E	HI	BIG SANDY CREEK	LOCH, BRITTNEE LOCH, JASON

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40H W 157676		FILED	IR	180.00 GPM	01/29/1954	NWSE	3	31N	14E	HI &	BIG SANDY CREEK	FRAHM, JERRY D GOEBEL FRAHM, C R HOCKETT, JEFFRY R	
40H W 157677		USE	LG	15.00 GPM	05/01/1972	SWSE	5	32N	15E	HI	BIG SANDY CREEK	GEHRINGER, CHARLES D GEHRINGER, SHARON M	
40H W 157678		FILED	ST		11/01/1938	NESE	36	29N	11E	CH	UT	INTERIOR DRAINAGE	KATCO FARMS INC
40H W 157679		FILED	DM	10.00 GPM	05/29/1973	SWNWSE	35	29N	12E	CH	SP	LONESOME LAKE COULEE	KATCO FARMS INC
40H W 157684		FILED	IR		12/31/1920	NWNENW	15	31N	14E	HI		SPRING COULEE	HINEBAUCH, EVAN JASPER GRAIN INC
40H W 157685		USE	DM	30.00 GPM	09/30/1953	NESENW	35	30N	13E	HI		GROUNDWATER	HILL COUNTY SCHOOL DISTRICT #13G
40H W 157686		USE	DM	30.00 GPM	06/30/1952	SENWNW	35	30N	13E	HI		GROUNDWATER	BALL, CHARLES D BALL, JO ELYN
40H W 157687		USE	DM	30.00 GPM	04/30/1956	NESENW	35	30N	13E	HI &		GROUNDWATER	BALL, CHARLES D BALL, JO ELYN
40H W 157688		USE	DM	30.00 GPM	10/15/1948	NENWNW	35	30N	13E	HI		GROUNDWATER	LAREDO FINANCIAL BUSINESS & REAL ESTATE LLC
40H W 157689		FILED	DM	30.00 GPM	02/04/1969	NENWNW	35	30N	13E	HI		GROUNDWATER	BALL, CHARLES D BALL, JO ELYN
40H W 157690		USE	DM	30.00 GPM	09/30/1947	SENWNW	35	30N	13E	HI		GROUNDWATER	BALL, CHARLES D BALL, JO ELYN
40H W 157691		FILED	DM	30.00 GPM	02/04/1969	NENWNW	35	30N	13E	HI		GROUNDWATER	HILL COUNTY SCHOOL DISTRICT #13G JAYNES, JENNIFER
40H W 157692		USE	CM	30.00 GPM	06/01/1951	SWNENW	35	30N	13E	HI		GROUNDWATER	BERNARD, MELODY
40H W 157693		USE	CM	30.00 GPM	06/01/1951	SWNENW	35	30N	13E	HI		GROUNDWATER	BERNARD, MELODY
40H W 157833		USE	ST		12/31/1942	NWSE	20	29N	10E	CH	UT	SIXMILE COULEE	COOK & SONS FARM INC
40H W 157835		DECREE	IR		12/14/1951	N2N2NE	17	29N	10E	CH &	UT	SIXMILE COULEE	COOK & SONS FARM INC
40H W 158863		USE	ST		04/01/1952	E2SWSW	29	29N	12E	CH &		TWELVEMILE COULEE	FINKE, FREDERICK W
40H W 158864		USE	ST		12/31/1946	SESENW	5	31N	14E	HI	UT	BIG SANDY CREEK	KRASKE, DANE KRASKE, DUSTIN
40H W 158865		USE	ST		12/31/1955	SWSE	6	31N	14E	HI		ANTELOPE COULEE	KRASKE, DANE KRASKE, DUSTIN
40H W 158866		USE	ST		05/16/1962	E2SENW	33	32N	14E	HI &	UT	BIG SANDY CREEK	KRASKE, DANE

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						QTR SEC	SEC TWP	RGE	CN				
40H W 158866		USE			05/16/1962	E2SENW	33	32N	14E	HI &	UT	BIG SANDY CREEK	KRASKE, DUSTIN
40H W 158867		USE	ST		06/25/1938	SESW	16	31N	14E	HI &		BIG SANDY CREEK	KRASKE, DANE KRASKE, DUSTIN
40H W 158868		USE	IR	1.50 CFS	12/31/1938	NWSWNW	3	31N	14E	HI		BIG SANDY CREEK	KRASKE, DANE KRASKE, DUSTIN
40H W 158870		USE	ST		10/07/1917	NENE	26	28N	14E	CH &	UT	BIG SANDY CREEK	KELLER, HARVEY L
40H W 158871		USE	ST		06/01/1913	SWSWSE	36	28N	14E	CH &		FRENCHMAN CREEK	KELLER, HARVEY L
40H W 158872		USE	ST		06/01/1913	S2SWNW	12	27N	14E	CH		GODFREY CREEK	GENEREUX, GAYE L
40H W 158873		USE	ST		03/03/1895	NWSWNW	12	27N	14E	CH	SP	GODFREY CREEK	GENEREUX, GAYE L
40H W 158874		USE	ST		10/07/1917	SESENE	26	28N	14E	CH &		BIG SANDY CREEK	KELLER, HARVEY L
40H W 158875		FILED	ST		10/20/1972	SWSWNE	27	28N	14E	CH	UT	BIG SANDY CREEK	KELLER, HARVEY L
40H W 158876		USE	ST		10/07/1917	NWNE	36	28N	14E	CH &		GOIN CREEK	KELLER, HARVEY L
40H W 158877		USE	ST	6.00 GPM	09/30/1939	SENE	22	28N	11E	CH		GROUNDWATER	BLEY FAMILY LLC
40H W 158878		FILED	ST	26.00 GPM	01/01/1910	NWSWSE	14	29N	13E	CH	SP	DUCK CREEK	BUTLER, RONALD W HERZOG, BARBARA J PEGAR, LINELL N
40H W 158879		FILED	ST		07/01/1942	NWSESW	14	29N	13E	CH		DUCK CREEK	BUTLER, RONALD W HERZOG, BARBARA J PEGAR, LINELL N
40H W 158880		FILED	ST	23.00 GPM	11/02/1955	NWSWSW	22	29N	13E	CH		GROUNDWATER	BUTLER, RONALD W
40H W 158881		FILED	ST	25.00 GPM	07/02/1945	NWNWNE	22	29N	13E	CH		GROUNDWATER	BUTLER, RONALD W
40H W 158882		FILED	DM	25.00 GPM	07/02/1945	NWNWNE	22	29N	13E	CH		GROUNDWATER	BUTLER, RONALD W
40H W 158886		FILED	IR		09/05/1962	NESESW	14	29N	13E	CH	SP	DUCK CREEK	BUTLER, RONALD W HERZOG, BARBARA J PEGAR, LINELL N
40H W 158887		FILED	ST		11/04/1908	E2SENE	13	28N	13E	CH	SP	COAL MINE COULEE	AMENT, GEORGE J AMENT, PENNY J
40H W 158888		USE	ST	8.00 GPM	12/31/1898	SENE	18	28N	14E	CH		GROUNDWATER	GENEREUX, RAELYNN JO GENEREUX, ROGER A
40H W 158889		USE	ST	10.00 GPM	12/31/1915	E2SENE	13	28N	13E	CH		GROUNDWATER	AMENT, GEORGE J AMENT, PENNY J

**DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
BIG SANDY CREEK
BASIN 40H
EXHIBIT C
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						QTR	SEC	TWP	RGE CN				
40H W 158893		FILED	IR	10.00 CFS	06/11/1910	SWNWNW	1	28N	13E	CH		GORMAN CREEK	RAY, JAMES C RAY, MARLA J
40H W 158894		USE	DM	10.00 GPM	12/31/1926	NWSENW	35	30N	13E	HI		GROUNDWATER	WOODS, ANTHONY D WOODS, MICHELLE WOODS, SUMMER R
40H W 158895		USE	ST		04/11/1893	NWNESW	7	27N	15E	CH	SP	GODFREY CREEK	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 158896		USE	ST		02/27/1918	SESWSE	1	27N	14E	CH	SP	GODFREY CREEK	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 158897		USE	ST		04/27/1910	NESWSE	6	27N	15E	CH	SP	GODFREY CREEK	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 158898		USE	ST	9.80 GPM	12/31/1938	NESESW	6	27N	15E	CH	SP	GODFREY CREEK	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 158899		USE	ST		05/06/1914	NWNESW	5	27N	15E	CH	SP	FRENCHMAN CREEK	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 158900		USE	ST		06/01/1912	NENESE	6	27N	15E	CH &	UT	FRENCHMAN CREEK	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 158901		USE	ST		04/11/1893	S2NENW	8	27N	15E	CH &		GODFREY CREEK	GENEREUX, GAYE L GENEREUX, ROGER L GENEREUX, RUSTIN L
40H W 158902		USE	ST		04/11/1893	N2SW	7	27N	15E	CH	UT	GODFREY CREEK	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 158903		USE	ST		04/11/1893	SENESE	7	27N	15E	CH	SP	GODFREY CREEK	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 158904		USE	ST		08/01/1893	W2NW	7	27N	15E	CH &	UT	GODFREY CREEK	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 158905		FILED	ST		05/18/1953	NWNWSE	7	27N	15E	CH		GROUNDWATER	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 158906		FILED	ST	58.34 GPM	05/01/1951	NWNESW	7	27N	15E	CH		GROUNDWATER	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 158907		USE	DM	5.00 GPM	05/01/1951	NWNESW	7	27N	15E	CH		GROUNDWATER	GENEREUX, GAYE L GENEREUX, ROGER L

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40H W 158908		FILED	DM	5.00 GPM	05/18/1953	NWNWSE	7	27N	15E	CH		GROUNDWATER	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 158911		FILED	IR	10.00 GPM	06/01/1912	NENWNW	7	27N	15E	CH &	SP	GODFREY CREEK	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 158912		USE	IR		05/18/1953	NWNWSE	7	27N	15E	CH		GROUNDWATER	GENEREUX, GAYE L GENEREUX, ROGER L GENEREUX, RUSTIN L
40H W 158918		FILED	ST	10.00 GPM	12/31/1912	SWNENE	7	29N	11E	CH		GROUNDWATER	PETERSON, LANCE
40H W 158919		USE	LG		10/31/1960	NWSWNW	5	29N	11E	CH		FOURTEENMILE COULEE	KAUFMANN, MICHELLE
40H W 158920		USE	LG		09/30/1961	NWSEW	5	29N	11E	CH		FOURTEENMILE COULEE	KAUFMANN, MICHELLE
40H W 158921		FILED	DM	5.00 GPM	07/31/1948	SESESE	6	29N	11E	CH		GROUNDWATER	PETERSON, LANCE
40H W 158922		USE	ST		12/31/1930	SWSESW	4	28N	11E	CH	UT	TWELVEMILE COULEE	REICHEL, PATRICIA C REICHEL, VERLIN L
40H W 158923		FILED	ST		11/01/1942	E2NENW	35	28N	9E	CH		SIXMILE COULEE	RRW PLUS 3 FARMS INC WORKS, DANIEL R
40H W 158924		USE	ST	10.00 GPM	09/19/1929	SESESE	36	30N	11E	HI		GROUNDWATER	THIBODEAUX, SALLIE J
40H W 158926		USE	ST		01/15/1911	SWNW	32	28N	15E	CH	UT	GOIN CREEK	SHEEHY, MARJORY L
40H W 158927		USE	ST		10/28/1916	N2NWN	5	27N	15E	CH	UT	GOIN CREEK	SHEEHY, MARJORY L
40H W 158928		USE	ST		02/22/1900	SESWSW	31	28N	15E	CH	SP	FRENCHMAN CREEK	SHEEHY, MARJORY L
40H W 158929		USE	ST		10/28/1916	NESWNW	5	27N	15E	CH	UT	FRENCHMAN CREEK	SHEEHY, MARJORY L
40H W 158930		USE	ST		10/28/1916	SWSWNE	5	27N	15E	CH	SP	FRENCHMAN CREEK	SHEEHY, MARJORY L
40H W 158931		USE	ST		02/27/1896	SEW	31	28N	15E	CH &		GOIN CREEK	SHEEHY, MARJORY L
40H W 158932		USE	ST	4.00 GPM	10/28/1916	SWSWNW	5	27N	15E	CH	SP	FRENCHMAN CREEK	SHEEHY, MARJORY L
40H W 158933		USE	ST		05/18/1909	SWNESE	31	28N	15E	CH	SP	GOIN CREEK	SHEEHY, MARJORY L
40H W 158934		USE	ST		08/13/1900	NESEW	31	28N	15E	CH	SP	GOIN CREEK	SHEEHY, MARJORY L
40H W 158935		USE	DM	20.00 GPM	12/31/1939	NESEW	31	28N	15E	CH	SP	GOIN CREEK	SHEEHY, MARJORY L
40H W 158936		USE	IR		06/19/1961	NENENE	1	27N	14E	CH	SI	FRENCHMAN CREEK	SHEEHY, MARJORY L
40H W 158937		USE	ST		07/12/1900	SEWNE	18	28N	15E	CH	SP	BIG SANDY CREEK	SHEEHY, JOHN M SHEEHY, LAURA R
40H W 158938		USE	ST		02/19/1909	SWNE	14	28N	14E	CH &	UT	UNNAMED TRIBUTARY OF	SHEEHY, JOHN M

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40H W 158938		USE			02/19/1909	SWNE	14	28N	14E CH &	UT	UNNAMED TRIBUTARY OF SOUTH FORK GORMAN CREEK	SHEEHY, LAURA R
40H W 158939		USE	ST	2.00 GPM	12/31/1960	NESESW	12	28N	14E CH	SP	UNNAMED TRIBUTARY OF SOUTH FORK GORMAN CREEK	SHEEHY, JANET K SHEEHY, LAURA R
40H W 158940		USE	ST		09/15/1899	NW	18	28N	15E CH &	UT	BIG SANDY CREEK	SHEEHY, JOHN M SHEEHY, LAURA R
40H W 158941		USE	ST		11/22/1913	S2SWSW	28	28N	15E CH &		PEEL CREEK	SHEEHY, THOMAS J
40H W 158942		USE	ST		09/15/1899	NW	19	28N	15E CH	SP	BIG SANDY CREEK	SHEEHY, JESSICA L SHEEHY, JONATHAN L SHEEHY, KIMBERLY A SHEEHY, THOMAS J
40H W 158943		USE	ST		07/12/1900	SWNE	18	28N	15E CH	SP	BIG SANDY CREEK	SHEEHY, JOHN M SHEEHY, LAURA R
40H W 158945		USE	ST		02/08/1915	E2NWNE	33	28N	15E CH		PEEL CREEK	SHEEHY, THOMAS J
40H W 158946		USE	ST		11/22/1913	SWNWSW	33	28N	15E CH	SP	GOIN CREEK	SHEEHY, THOMAS J
40H W 158947		USE	ST		02/01/1906	W2NE	24	28N	14E CH &	UT	BIG SANDY CREEK	SHEEHY, JANET K
40H W 158948		USE	ST		07/31/1905	S2NWSW	30	28N	15E CH &		PEEL CREEK	SHEEHY, JANET K
40H W 158949		USE	ST		08/01/1901	NWNENW	12	28N	14E CH &		GORMAN CREEK, NORTH FORK	SHEEHY, JOHN M SHEEHY, LAURA R
40H W 158950		USE	ST		10/01/1898	S2N2SW	19	28N	15E CH &		BIG SANDY CREEK	SHEEHY, JESSICA L SHEEHY, JONATHAN L SHEEHY, KIMBERLY A SHEEHY, THOMAS J
40H W 158951		USE	ST		07/12/1900	NW	7	28N	15E CH	SP	BIG SANDY CREEK	SHEEHY, JOHN M SHEEHY, LAURA R
40H W 158952		USE	ST	28.00 GPM	06/19/1946	SWNESE	24	28N	14E CH	SP	BIG SANDY CREEK	SHEEHY, JANET K
40H W 158953		USE	ST		12/19/1900	NENE	13	28N	14E CH &	UT	BIG SANDY CREEK	SHEEHY, JANET K SHEEHY, LAURA R
40H W 158954		USE	ST		08/01/1901	NW	7	28N	15E CH &		GORMAN CREEK	SHEEHY, JOHN M SHEEHY, LAURA R
40H W 158955		USE	ST		02/19/1909	N2NENE	14	28N	14E CH &	UT	UNNAMED TRIBUTARY OF SOUTH FORK GORMAN CREEK	SHEEHY, JOHN M

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40H W 158955		USE			02/19/1909	N2	NENE	14	28N	14E	CH &	UT	UNNAMED TRIBUTARY OF SOUTH FORK GORMAN CREEK	SHEEHY, LAURA R
40H W 158956		USE	ST		08/01/1901	S2	NWSE	12	28N	14E	CH &		GORMAN CREEK, SOUTH FORK	SHEEHY, JANET K SHEEHY, LAURA R
40H W 158957		USE	DM	20.00 GPM	06/19/1946		SWNESE	24	28N	14E	CH	SP	BIG SANDY CREEK	SHEEHY, JANET K
40H W 158958		DECREE	IR	85.75 GPM	07/03/1912		SENWSW	18	28N	15E	CH	UT	BIG SANDY CREEK	SHEEHY, THOMAS J
40H W 158959		DECREE	IR	3.50 CFS	01/19/1971		SWSWSE	24	28N	14E	CH		BIG SANDY CREEK	SHEEHY, JANET K
40H W 158960		USE	ST		04/15/1918		NWNWSW	25	32N	14E	HI	UT	BIG SANDY CREEK	BROWN, JANET D GHAZAR, LAURA E HOCKETT, JEFFRY R HOCKETT, KAYLEEN JOHANSSON, LEON A JOHNSON, PAUL V JOHNSON, VICTOR R MINER, ROBYNN C SESSIONS, CAROL S
40H W 159310		FILED	ST	7.00 GPM	03/23/1966		SWNWNE	7	29N	12E	CH		GROUNDWATER	EDVENTURES INC
40H W 159311		FILED	ST	5.00 GPM	05/29/1973		NESWNE	7	29N	12E	CH		GROUNDWATER	TRIPLE E INC
40H W 159312		FILED	DM	5.00 GPM	05/29/1973		NESWNE	7	29N	12E	CH		GROUNDWATER	TRIPLE E INC
40H W 159313		FILED	DM	7.00 GPM	03/23/1966		SWNWNE	7	29N	12E	CH		GROUNDWATER	EDVENTURES INC
40H W 159315		FILED	ST	30.00 GPM	12/31/1948		SWSWNE	18	28N	13E	CH		GROUNDWATER	CHAUVET RANCH CO
40H W 159316		FILED	ST	5.00 GPM	12/31/1946		NENESE	27	28N	13E	CH	SP	BIG SANDY CREEK	CHAUVET REAL ESTATE LLC
40H W 159317		FILED	ST		05/01/1963		SWNESW	27	28N	13E	CH	UT	BIG SANDY CREEK	CHAUVET REAL ESTATE LLC
40H W 159318		FILED	ST		05/01/1965		SENESE	9	28N	13E	CH	UT	BIG SANDY CREEK	CHAUVET REAL ESTATE LLC
40H W 159319		FILED	DM	30.00 GPM	12/31/1948		SWSWNE	18	28N	13E	CH		GROUNDWATER	CHAUVET RANCH CO
40H W 159320		USE	IR		07/06/1941		NWNWNW	20	28N	13E	CH &		BIG SANDY CREEK	CHAUVET RANCH CO
40H W 159321		USE	IR		07/17/1966		NESENE	4	28N	13E	CH		GORMAN CREEK	CHAUVET REAL ESTATE LLC
40H W 159388		USE	ST		09/12/1946		NENWNW	30	32N	15E	HI	UT	BIG SANDY CREEK	KRASKE, DANE KRASKE, DUSTIN
40H W 159389		USE	ST		07/22/1937		SE	23	32N	14E	HI &		BIG SANDY CREEK	KRASKE, DANE KRASKE, DUSTIN

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40H W 159389		USE			07/22/1937	SE	23	32N	14E HI &		BIG SANDY CREEK	LIRA HOLDINGS LLC
40H W 159390		USE	IR		09/20/1955	S2SENE	23	32N	14E HI	UT	BIG SANDY CREEK	LIRA HOLDINGS LLC
40H W 159870		FILED	ST		10/10/1960	SESESW	13	28N	13E CH	UT	BIG SANDY CREEK	GENEREUX, DARIN M
40H W 159871		FILED	ST		11/10/1945	SWNWSE	12	28N	13E CH	UT	COAL MINE COULEE	GENEREUX, DARIN M
40H W 159872		FILED	ST		10/12/1970	SWNWNW	19	28N	14E CH	UT	BIG SANDY CREEK	GENEREUX, DARIN M
40H W 160460		FILED	ST	13.00 GPM	06/05/1973	SWSWNE	19	28N	13E CH		GROUNDWATER	JAPPE, ELLA MARIE JAPPE, LAWRENCE V
40H W 161179		USE	FW		10/31/1971	S2NWNE	17	28N	11E CH	UT	TWELVEMILE COULEE	KEITH, DONALD L MAHOOD, JACK TRUST
40H W 161352		USE	ST	15.00 GPM	05/29/1964	NESENW	3	29N	13E CH		GROUNDWATER	JOLIN LAND COMPANY
40H W 161353		FILED	ST	24.00 GPM	08/23/1961	SESESW	16	29N	13E CH		GROUNDWATER	CIKRIT, DOLORES F TESTAMENTARY TRUST SCHMIT, JOSEPH L
40H W 161354		FILED	ST	24.00 GPM	11/17/1972	NESESW	16	29N	13E CH		GROUNDWATER	CIKRIT, DOLORES F TESTAMENTARY TRUST SCHMIT, JOSEPH L
40H W 161355		FILED	DM	24.00 GPM	11/17/1972	NESESW	16	29N	13E CH		GROUNDWATER	CIKRIT, DOLORES F TESTAMENTARY TRUST SCHMIT, JOSEPH L
40H W 161356		USE	IR		11/04/1912	S2SE	17	29N	13E CH &		BIG SANDY CREEK	CIKRIT, DOLORES F TESTAMENTARY TRUST SCHMIT, JOSEPH L
40H W 161357		FILED	IR		04/05/1900	SESESE	3	29N	13E CH		DUCK CREEK	JOLIN LAND COMPANY
40H W 161358		FILED	IR		04/19/1902	SESESE	3	29N	13E CH		DUCK CREEK	JOLIN LAND COMPANY
40H W 161611		DECREE	IR	8.00 CFS	05/24/1888	NENWNW	3	27N	13E CH &		BIG SANDY CREEK	IX RANCH CO
40H W 161612		DECREE	IR	1.00 CFS	05/24/1888	NENWNW	3	27N	13E CH &		BIG SANDY CREEK	IX RANCH CO
40H W 161613		DECREE	IR	1.00 CFS	05/24/1888	NENWNW	3	27N	13E CH &		BIG SANDY CREEK	IX RANCH CO
40H W 161614		DECREE	IR	9.00 CFS	05/24/1888	NENWNW	3	27N	13E CH &		BIG SANDY CREEK	IX RANCH CO
40H W 161615		DECREE	IR	5.00 CFS	05/24/1888	NENWNW	3	27N	13E CH &		BIG SANDY CREEK	IX RANCH CO
40H W 161616		DECREE	IR	4.00 CFS	05/24/1888	NENWNW	3	27N	13E CH &		BIG SANDY CREEK	IX RANCH CO
40H W 161617		DECREE	IR	3.02 CFS	05/24/1888	NENWNW	3	27N	13E CH &		BIG SANDY CREEK	IX RANCH CO
40H W 161622		DECREE	IR	33.66 GPM	09/16/1887	NENWNW	3	27N	13E CH &		BIG SANDY CREEK	IX RANCH CO
40H W 161840		USE	ST		03/01/1915	NWNWSE	32	32N	15E HI	SP	BIG SANDY CREEK	MAJERUS, PAMELA MAJERUS, TERRY

**DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
BIG SANDY CREEK
BASIN 40H
EXHIBIT C
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						QTR	SEC	TWP	RGE CN				
40H W 199780		USE	ST		12/31/1932	SWNE	8	28N	13E	CH	UT	BIG SANDY CREEK	OPHUS, BARBARA OPHUS, CLETE OPHUS, LYLE
40H W 199781		USE	ST	5.00 CFS	12/31/1951	NESWSW	8	28N	13E	CH		BIG SANDY CREEK	OPHUS, BARBARA OPHUS, CLETE OPHUS, LYLE
40H W 199782		USE	ST		12/31/1931	SWSWNW	9	28N	13E	CH	UT	BIG SANDY CREEK	OPHUS, BARBARA OPHUS, CLETE OPHUS, LYLE
40H W 199783		USE	IR	5.00 CFS	07/06/1941	NESWSW	8	28N	13E	CH &		BIG SANDY CREEK	OPHUS, BARBARA OPHUS, CLETE OPHUS, LYLE
40H W 214310		FILED	IR		12/31/1920	SENE	15	31N	14E	HI		SPRING COULEE	HINEBAUCH, EVAN JASPER GRAIN INC
40H W 214311		USE	LG	150.00 GPM	12/31/1967	SESESE	17	31N	14E	HI		BIG SANDY CREEK	INMAN, BEVERLY E KRASS, JILL KRASS, LORIN
40H W 214449		FILED	IR	25.00 GPM	11/18/1946	NENENE	32	29N	14E	CH		CAMP CREEK	HETRICK, DORIEN H
40H W 214947		FILED	IR		09/01/1946	SESENE	30	32N	15E	HI &	UT	BIG SANDY CREEK	JOHNSON, VICTOR R KAFKA, SYLVIA S KRASKE, DANE KRASKE, DUSTIN
40H W 30013278		FILED	FW		02/19/1946	NWSWNE	26	31N	13E	HI		SCHWARTZ COULEE	KIEMELE, KENNETH A
40H W 30030381		USE	ST	9.80 GPM	12/31/1938	NWNESW	7	27N	15E	CH	UT	GODFREY CREEK	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 30030382		USE	ST	9.80 GPM	12/31/1938	SESWSE	1	27N	14E	CH	SP	GODFREY CREEK	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 30030383		USE	ST	9.80 GPM	12/31/1938	NESWSE	6	27N	15E	CH	SP	GODFREY CREEK	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 30030385		USE	ST	9.80 GPM	12/31/1938	NWNESW	5	27N	15E	CH	UT	FRENCHMAN CREEK	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 30030392		USE	ST		08/21/1909	W2SE	25	28N	14E	CH		BIG SANDY CREEK	SHEEHY, JESSICA L

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						QTR	SEC	TWP	RGE	CN			
40H W 30030392		USE			08/21/1909	W2	SENW	25	28N	14E	CH	BIG SANDY CREEK	SHEEHY, JONATHAN L SHEEHY, KIMBERLY A SHEEHY, THOMAS J
40H W 30030393		USE	ST		05/18/1939	NE	SENE	36	28N	14E	CH &	GOIN CREEK	SHEEHY, MARJORY L
40H W 30030394		USE	ST		03/01/1911	S2	SWNW	25	28N	14E	CH	BIG SANDY CREEK	SHEEHY, JESSICA L SHEEHY, JONATHAN L SHEEHY, KIMBERLY A SHEEHY, THOMAS J
40H W 30030395		USE	IR		06/19/1961	NW	NWNW	6	27N	15E	CH	SI FRENCHMAN CREEK	SHEEHY, MARJORY L
40H W 30030396		USE	ST		05/25/1898	SWS	SWSE	13	28N	14E	CH	SP BIG SANDY CREEK	SHEEHY, JOHN M SHEEHY, LAURA R
40H W 30030397		USE	ST		04/05/1902	NW	SESW	24	28N	14E	CH	SP BIG SANDY CREEK	SHEEHY, JOHN M SHEEHY, LAURA R
40H W 30030398		USE	ST		03/22/1913	SE	SENE	24	28N	14E	CH	BIG SANDY CREEK	SHEEHY, JESSICA L SHEEHY, JONATHAN L SHEEHY, KIMBERLY A SHEEHY, THOMAS J
40H W 30030399		USE	ST		04/05/1907	SW	SE	24	28N	14E	CH	BIG SANDY CREEK	SHEEHY, JESSICA L SHEEHY, JONATHAN L SHEEHY, KIMBERLY A SHEEHY, THOMAS J
40H W 30030400		USE	ST		03/13/1915	NW	NWNE	25	28N	14E	CH &	BIG SANDY CREEK	SHEEHY, JANET K
40H W 30043201		USE	ST	3.00 GPM	12/31/1938	NE	SWNW	5	27N	15E	CH	SP FRENCHMAN CREEK	SHEEHY, MARJORY L
40H W 30043249		USE	ST	1,600.00 GPM	12/01/1946	SE	SENE	22	29N	14E	CH	DUCK CREEK	SAND CREEK RANCH LLC
40H W 30043250		USE	IR	3.00 CFS	12/31/1946	SE	SENE	22	29N	14E	CH	DUCK CREEK	SAND CREEK RANCH LLC
40H W 30106833		USE	ST		06/11/1896	E2	NE	16	28N	14E	CH	GORMAN CREEK, SOUTH FORK	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 30106834		USE	ST		06/11/1896	W2		16	28N	14E	CH	UT GORMAN CREEK	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H W 30112944		USE	DM	25.00 GPM	05/21/1960	NE	NENW	9	32N	15E	HI	GROUNDWATER	JAPPE, CAROL A JAPPE, MARTE A
40H W 30112980		FILED	DM	20.00 GPM	12/09/1963	NE	NWNW	9	32N	15E	HI	GROUNDWATER	JOHNSON, CHRISTIE L JOHNSON, DARREN L

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40H W 30115106		USE	DM	5.00 GPM	12/31/1910	SESENE	1	28N	12E	CH		GROUNDWATER	STAVE, JAMES R STAVE, SHARON N
40H W 30124787		USE	DM	5.00 GPM	12/15/1942	NWSWSW	21	28N	14E	CH		GROUNDWATER	WELTY, GENE H
40H W 30125918		USE	ST	30.00 GPM	12/31/1963	NWSENE	3	27N	14E	CH	SP	BIG SANDY CREEK	IX RANCH CO
40H W 30125919		USE	ST		12/31/1888	S2SW	8	27N	14E	CH		GODFREY CREEK	IX RANCH CO
40H W 30125922		USE	ST		12/31/1888	W2SE	4	27N	15E	CH &	UT	GODFREY CREEK	IX RANCH CO
40H W 30125923		USE	ST		12/31/1880	NENE	3	27N	14E	CH &	UT	FRENCHMAN CREEK	IX RANCH CO
40H W 30125926		USE	ST		12/31/1888	N2SESE	10	27N	14E	CH &	UT	GODFREY CREEK	IX RANCH CO
40H W 30125927		USE	ST		12/31/1888	E2SESE	7	27N	14E	CH &	UT	GODFREY CREEK	IX RANCH CO
40H W 30125928		USE	ST		12/31/1888	S2	1	27N	13E	CH &	UT	BIG SANDY CREEK	IX RANCH CO
40H W 30127124		USE	ST		12/17/1901	W2NWSW	4	29N	13E	CH &		BIG SANDY CREEK	JOLIN LAND COMPANY
40H W 30127126		USE	ST		12/31/1919	NWSWSE	3	29N	13E	CH &		DUCK CREEK	JOLIN LAND COMPANY
40H W 30127492		USE	ST	12.00 GPM	07/05/1910	SWNESE	21	28N	14E	CH	SP	GORMAN CREEK	GENEREUX, RAELYNN JO GENEREUX, ROGER A PURSLEY, DOROTHY L PURSLEY, M AARON
40H W 30127494		USE	DM	10.00 GPM	09/15/1948	SWNESE	21	28N	14E	CH	SP	GORMAN CREEK	GENEREUX, RAELYNN JO GENEREUX, ROGER A PURSLEY, DOROTHY L PURSLEY, M AARON
40H W 30127495		USE	ST	12.00 GPM	07/05/1910	SWNESE	21	28N	14E	CH	SP	GORMAN CREEK	GENEREUX, GAYE L GENEREUX, RAELYNN JO GENEREUX, ROGER A GENEREUX, ROGER L
40H W 30127520		FILED	ST	3.00 GPM	09/23/1954	NWNWSE	20	28N	14E	CH		GROUNDWATER	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 30127524		FILED	ST	6.00 GPM	10/08/1960	SWSWNE	20	28N	14E	CH		GROUNDWATER	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 30127601		FILED	DM	1.00 GPM	06/01/1959	NESESE	20	28N	14E	CH		GROUNDWATER	GENEREUX, GAYE L GENEREUX, ROGER L
40H W 30127602		USE	ST		12/31/1888	S2NW	25	28N	13E	CH &	UT	BIG SANDY CREEK	GENEREUX, GAYE L

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40H W 30127602		USE			12/31/1888	S2NW	25	28N	13E	CH &	UT	BIG SANDY CREEK	GENEREUX, ROGER L
40H W 30127622		USE	DM	20.00 GPM	08/04/1958	NENWNW	9	32N	15E	HI		GROUNDWATER	HORINEK, DUSTIN
40H W 30127732		USE	ST	30.00 GPM	12/31/1958	SWNWNE	34	29N	13E	CH		GROUNDWATER	RAY, JAMES C
40H W 30127733		USE	DM	30.00 GPM	12/31/1958	SWNWNE	34	29N	13E	CH		GROUNDWATER	RAY, JAMES C
40H W 30151565		USE	ST		06/09/1928	SESE	5	29N	13E	CH &	UT	BIG SANDY CREEK	JOLIN LAND COMPANY
40H W 30151566		USE	ST		08/20/1902	E2SENE	8	29N	13E	CH &		BIG SANDY CREEK	JOLIN LAND COMPANY
40H W 30151567		USE	ST		06/24/1921	W2SWNE	8	29N	13E	CH	UT	BIG SANDY CREEK	JOLIN LAND COMPANY
40H U 30073934		RESERVED	DM	30.00 GPM	04/21/1904	SW	26	30N	10E	HI		GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
40H U 30073935		RESERVED	ST		04/21/1904	SW	26	30N	10E	HI		UNKNOWN CREEK	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
40H U 30073936		RESERVED	DM	30.00 GPM	04/21/1904	NW	25	30N	10E	HI		GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
40H U 30073937		RESERVED	ST		04/21/1904	NW	25	30N	10E	HI		UNKNOWN CREEK	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
40H U 30073938		RESERVED	DM	30.00 GPM	04/21/1904	NW	24	30N	10E	HI		GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
40H U 30073939		RESERVED	ST		04/21/1904	NW	24	30N	10E	HI		UNKNOWN CREEK	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
40H U 30073940		RESERVED	DM	30.00 GPM	04/21/1904	SE	23	30N	10E	HI		GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
40H U 30073941		RESERVED	ST		04/21/1904	SE	23	30N	10E	HI		UNKNOWN CREEK	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
40H U 30073942		RESERVED	DM	30.00 GPM	04/21/1904	N2SW	22	30N	10E	HI &		GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
40H U 30073943		RESERVED	ST		04/21/1904	N2SW	22	30N	10E	HI &		UNKNOWN CREEK	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
40H U 30073944		RESERVED	DM	30.00 GPM	04/21/1904	NE	14	30N	10E	HI		GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
40H U 30073945		RESERVED	ST		04/21/1904	NE	14	30N	10E	HI		UNKNOWN CREEK	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
40H U 30073946		RESERVED	DM	30.00 GPM	04/21/1904	SW	5	29N	10E	CH		GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
40H U 30073947		RESERVED	ST		04/21/1904	SW	5	29N	10E	CH		UNKNOWN CREEK	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
40H U 30073948		RESERVED	DM	30.00 GPM	04/21/1904	SW	11	30N	10E	HI		GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
40H U 30073949		RESERVED	ST		04/21/1904	SW	11	30N	10E	HI		UNKNOWN CREEK	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
40H U 30073950		RESERVED	DM	30.00 GPM	04/21/1904	SW	2	30N	10E	HI		GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
40H U 30073951		RESERVED	ST		04/21/1904	SW	2	30N	10E	HI		UNKNOWN CREEK	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
40H U 30073952		RESERVED	DM	30.00 GPM	04/21/1904	NW	13	30N	10E	HI		GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
40H U 30073953		RESERVED	ST		04/21/1904	NW	13	30N	10E	HI		UNKNOWN CREEK	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
40H U 30073954		RESERVED	DM	30.00 GPM	04/21/1904	SE	13	30N	10E	HI		GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)

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40H U 30073955		RESERVED	ST		04/21/1904	SE	13	30N	10E	HI	UNKNOWN CREEK	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)	
40H U 30073956		RESERVED	DM	30.00 GPM	04/21/1904	SW	13	30N	10E	HI	GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)	
40H U 30073957		RESERVED	ST		04/21/1904	SW	13	30N	10E	HI	UNKNOWN CREEK	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)	
40H U 30073958		RESERVED	DM	30.00 GPM	04/21/1904	NE	33	30N	10E	HI	GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)	
40H U 30073959		RESERVED	ST		04/21/1904	NE	33	30N	10E	HI	UNKNOWN CREEK	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)	
40H U 30073960		RESERVED	DM	30.00 GPM	04/21/1904	SW	27	30N	10E	HI	GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)	
40H U 30073961		RESERVED	ST		04/21/1904	SW	27	30N	10E	HI	UNKNOWN CREEK	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)	
40H U 30073962		RESERVED	DM	30.00 GPM	04/21/1904	NW	27	30N	10E	HI	GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)	
40H U 30073963		RESERVED	ST		04/21/1904	NW	27	30N	10E	HI	UNKNOWN CREEK	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)	
40H U 30073964		RESERVED	DM	30.00 GPM	04/21/1904	SW	17	29N	10E	CH	GROUNDWATER	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)	
40H U 30073965		RESERVED	ST		04/21/1904	SW	17	29N	10E	CH	UNKNOWN CREEK	USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)	
40H C 1500			DM ST	13.00 GPM	02/05/1974	NWNWSW	30	32N	14E	HI	GROUNDWATER	DONOVEN, DENNIS DONOVEN, JOYCE A PURSLEY, CLARENCE G TRUST UNDER WILL	
40H P 1978			IR ST	4.67 CFS	04/08/1974	NWSENW	18	32N	15E	HI &	BIG SANDY CREEK	PATERA, ARTHUR A	
40H P 1984			ST		04/08/1974	NWNENE	34	31N	15E	HI	UT	SPRING COULEE	HERRON, TIMOTHY S
40H P 2068			IR ST		04/19/1974	SWNENE	25	28N	13E	CH		SNAKE COULEE	GENEREUX, RAELYNN JO GENEREUX, ROGER A
40H P 2338			ST		05/22/1974	SESENE	8	31N	14E	HI	UT	BIG SANDY CREEK	INMAN FARMS
40H P 2389			IR WW	1.00 CFS	05/17/1974	NWSWSW	26	29N	10E	CH	UT	SIXMILE COULEE	MVI LIMITED PARTNERSHIP
40H P 2429			ST		05/29/1974	NENWNW	32	29N	10E	CH		SIXMILE COULEE	FINKE, ROBERT W
40H P 2430			ST		05/29/1974	NWSENW	5	28N	10E	CH		SIXMILE COULEE	ANDERSON, RENATE F FINKE, FREDERICK W
40H P 2531			ST		06/10/1974	SESESE	18	28N	11E	CH	UT	TWELVEMILE COULEE	BAHNMILLER FAMILY PARTNERSHIP
40H P 2601			ST		06/17/1974	SESWSW	17	28N	12E	CH	UT	LONESOME LAKE COULEE	RICE, GEORGE G RICE, HELEN A
40H C 3567			ST	11.50 GPM	09/10/1974	SWNE	2	27N	13E	CH		GROUNDWATER	BERLINGER, COREY BERLINGER, RITA

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40H P 3881			ST		10/10/1974	NENWSW	5	30N	15E	HI	UT	UNNAMED TRIBUTARY OF SOUTH FORK SPRING COULEE	STRAUSER, SCOT W
40H C 4337			DM	12.00 GPM	12/09/1974	SWSE	26	30N	13E	HI		GROUNDWATER	KOMEOTIS, KOSONDRA STUMP, ABLAZAH
40H P 4665			IR	1.56 CFS	01/23/1975	NWNENW	18	32N	15E	HI		BIG SANDY CREEK	KINSELLA, GERALD F KINSELLA, LAURA M
40H C 4951			DM ST	20.00 GPM	02/28/1975	NESW	20	28N	14E	CH		GROUNDWATER	SMELSER, KEITH J SMELSER, VALERIE J WELTY, GENE H WELTY, WILMA M
40H P 5620			FW ST		06/05/1975	SENENE	1	28N	11E	CH	UT	LONESOME LAKE	BRAUN, GLENN E BRAUN, VICKI M
40H C 5678			DM	14.00 GPM	06/11/1975	S2SESE	5	32N	15E	HI		GROUNDWATER	VAUGHN, CHRISTOPHER L
40H C 5692			CM	15.00 GPM	06/12/1975	SWNW	35	30N	13E	HI		GROUNDWATER	CAMPBELLS BAR
40H C 5928			DM ST	25.00 GPM	07/09/1975	NWSWSE	23	28N	14E	CH		GROUNDWATER	KELLER, HARVEY L
40H P 5939			ST WW		07/10/1975	SWSENW	29	28N	15E	CH		PEEL CREEK	RUNNION, JANET RUNNION, ROY
40H P 6733			IR		10/24/1975	NENWNE	18	28N	13E	CH	UT	BIG SANDY CREEK	RICHTER, VERNON
40H P 7372			IR	11.13 CFS	01/28/1976	NWSWNW	22	31N	14E	HI		GRAVEL COULEE	CHIPPEWA CREE TRIBE OF THE ROCKY BOY RESERVA
40H P 7390			ST		01/30/1976	NWNWNW	17	29N	10E	CH		CLOSED BASIN	BOLD, JOHN F
40H C 7412			DM	5.00 GPM	02/03/1976	SENE	2	28N	13E	CH		GROUNDWATER	RAY, JAMES C RAY, MARLA J
40H P 7814			FW		03/24/1976	SENWSE	27	28N	10E	CH	UT	TWELVEMILE COULEE	MINER FAMILY FARM LLC
40H P 8218			ST		01/30/1976	SESENW	19	29N	10E	CH		CLOSED BASIN	BOLD, JOHN F
40H P 8283			ST		05/13/1976	SWNWSE	35	29N	12E	CH	UT	LONESOME LAKE COULEE	KATCO FARMS INC
40H C 11094			DM	12.00 GPM	01/20/1977	S2SESE	5	32N	15E	HI		GROUNDWATER	VAUGHN, CHRISTOPHER L
40H P 12143			ST		04/08/1977	SESENW	6	28N	14E	CH		GORMAN CREEK	RAY, JAMES C RAY, MARLA J
40H C 14241			DM ST	4.00 GPM	07/25/1977	SESENE	20	30N	12E	HI		GROUNDWATER	MCCORMICK, RYAN E

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BIG SANDY CREEK
BASIN 40H
EXHIBIT C
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					QTR	SEC	TWP	RGE CN				
40H P 14968		ST WW		08/29/1977	NESENE	31	31N	14E	HI	UT	SCHWARTZ COULEE	DANIEL, DAVID L DANIEL, GUADUALUPE F DANIEL, NANCY R DANIEL, RICHARD E DANIEL, SHERRY K
40H P 15238		FW ST		09/19/1977	SESESE	32	29N	10E	CH	UT	SIXMILE COULEE	BOETTCHER, EARL
40H C 15716		FW ST	3.00 GPM	10/17/1977	NWNE	12	27N	14E	CH		GROUNDWATER	GENEREUX, GAYE L
40H C 15817		FW ST	5.00 GPM	10/25/1977	SEWNNE	2	27N	14E	CH		GROUNDWATER	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H C 15851		DM	50.00 GPM	10/28/1977	SESENE	35	30N	13E	HI		GROUNDWATER	HILL COUNTY SCHOOL DISTRICT #13G
40H C 16592		DM	20.00 GPM	12/13/1977	SENESE	8	32N	15E	HI		GROUNDWATER	STICKA, CHARLENE M STICKA, TIMOTHY R
40H C 16680		DM	2.00 GPM	12/19/1977	SENESE	24	31N	10E	HI		GROUNDWATER	DOLPH, DELORES A BY-PASS TRUST DOLPH, ELBERT W
40H C 16944		DM ST	25.00 GPM	01/13/1978	SENESE	27	30N	13E	HI		GROUNDWATER	HANSON, COLLIN J HANSON, KAITLIN A
40H P 17027		IR	750.00 GPM	01/24/1978	SENESE	21	31N	14E	HI		GROUNDWATER	CHIPPEWA CREE TRIBE OF THE ROCKY BOY RESERVA
40H C 18316		DM	10.00 GPM	04/18/1978	SENESE	9	32N	15E	HI		GROUNDWATER	ERICKSON, KEN
40H C 19956		DM ST	5.00 GPM	08/18/1978	SENESE	35	32N	14E	HI		GROUNDWATER	HOCKETT, JEFFRY R
40H C 20217		DM ST	13.50 GPM	09/08/1978	SENESE	30	32N	15E	HI		GROUNDWATER	KRASKE, DANE KRASKE, DUSTIN
40H C 20288		ST	4.00 GPM	09/11/1978	SENESE	3	30N	15E	HI		GROUNDWATER	HERRON, TIMOTHY S
40H C 21911		ST	11.00 GPM	02/21/1979	SENESE	15	30N	11E	HI		GROUNDWATER	SOLBERG, RANDALL D
40H P 22705		IR	945.00 GPM	05/04/1979	SENESE	1	31N	14E	HI		CLOSED BASIN	HOCKETT, JEFFRY R
40H C 24083		DM ST	8.00 GPM	08/13/1979	SENESE	35	31N	15E	HI		GROUNDWATER	KAFKA, KIM J
40H C 24672		DM	18.00 GPM	10/01/1979	SENESE	4	32N	15E	HI		GROUNDWATER	SHARP, GUS A SHARP, TERRI J

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40H P 25152			FW ST		09/24/1979	NESWNE	18	32N	14E	HI	SPRINKLE COULEE	SOHM, PAUL FARMS INC SOHM, SHANNON L
40H C 25158			DM	20.00 GPM	10/29/1979	SESWSE	5	32N	15E	HI	GROUNDWATER	BIBEAU, LOUIS P BIBEAU, SHELLY A
40H P 25476			LG	150.00 GPM	11/05/1979	SESWSE	5	32N	15E	HI	BIG SANDY CREEK	HAMILTON, AMANDA HAMILTON, SETH J
40H C 26575			DM ST	20.00 GPM	02/15/1980	NENWNE	18	32N	15E	HI	GROUNDWATER	KINSELLA, GERALD F KINSELLA, LAURA M
40H C 27335			DM	15.00 GPM	04/28/1980	NENWSE	21	29N	15E	HI	GROUNDWATER	CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
40H C 28502			DM	30.00 GPM	07/28/1980	NW/NENW	9	32N	15E	HI	GROUNDWATER	BRANDT, CLYDE F BRANDT, TONI
40H P 41779			MC	50.00 GPM	01/18/1982	SEWSE	17	28N	13E	CH	GROUNDWATER	BIG SANDY, TOWN OF
40H P 41780			MC	60.00 GPM	01/18/1982	SEWSE	17	28N	13E	CH	GROUNDWATER	BIG SANDY, TOWN OF
40H P 41781			MC	150.00 GPM	01/18/1982	SEWSE	17	28N	13E	CH	GROUNDWATER	BIG SANDY, TOWN OF
40H C 42064			ST	3.00 GPM	06/17/1981	NENENW	18	29N	16E	HI	GROUNDWATER	CONRAD O. NYSTROM REVOCABLE TRUST
40H C 42065			ST	10.00 GPM	06/17/1981	NESWNW	18	29N	16E	HI	GROUNDWATER	CONRAD O. NYSTROM REVOCABLE TRUST
40H C 42066			ST	5.00 GPM	06/17/1981	SENEW	18	29N	16E	HI	GROUNDWATER	CONRAD O. NYSTROM REVOCABLE TRUST
40H C 42067			ST	5.00 GPM	06/17/1981	SWSESE	18	29N	16E	HI	GROUNDWATER	CONRAD O. NYSTROM REVOCABLE TRUST
40H C 42068			ST	5.00 GPM	06/17/1981	NWSEW	19	29N	16E	HI	GROUNDWATER	NYSTROM, CONRAD
40H C 42069			ST	5.00 GPM	06/17/1981	NW/NENW	19	29N	16E	HI	GROUNDWATER	NYSTROM, CONRAD
40H C 42070			ST	5.00 GPM	06/17/1981	SWNESE	19	29N	16E	HI	GROUNDWATER	CONRAD O. NYSTROM REVOCABLE TRUST
40H C 42071			DM ST	1.50 GPM	06/23/1981	SWNWNW	4	31N	15E	HI	GROUNDWATER	OTTO, ALLAN D OTTO, LUCINDA F
40H C 42097			AS DM ST	18.00 GPM	09/22/1981	NW	35	30N	13E	HI	GROUNDWATER	GOODIAN & SON INC
40H C 45961			MC	60.00 GPM	01/18/1982	NENWNW	20	28N	13E	CH	GROUNDWATER	BIG SANDY, TOWN OF
40H C 46046			DM LG	7.00 GPM	03/18/1982	SESESE	27	30N	13E	HI	GROUNDWATER	HANSON, LORRIE HANSON, PAUL
40H C 46049			ST	10.00 GPM	03/18/1982	SESESE	27	30N	13E	HI	GROUNDWATER	HANSON, LORRIE

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40H C 46049				10.00 GPM	03/18/1982	SESESE	27	30N	13E	HI	GROUNDWATER	HANSON, PAUL
40H C 46050			ST	14.00 GPM	03/18/1982	NWSWSE	24	30N	13E	HI	GROUNDWATER	HANSON, LORRIE HANSON, PAUL
40H C 46051			ST	20.00 GPM	03/18/1982	NWSWSW	25	30N	13E	HI	GROUNDWATER	HANSON, LORRIE HANSON, PAUL
40H C 46052			IR ST	34.00 GPM	03/18/1982	NWSWSW	26	30N	13E	HI	GROUNDWATER	HANSON, COLLIN J HANSON, KAITLIN A HANSON, LORRIE HANSON, PAUL
40H C 46053			IR ST	26.00 GPM	03/18/1982	SWSWSW	26	30N	13E	HI	GROUNDWATER	HANSON, COLLIN J HANSON, KAITLIN A HANSON, LORRIE HANSON, PAUL
40H C 47909			DM LG	12.00 GPM	12/15/1981	SESWSE	33	28N	13E	CH	GROUNDWATER	IX RANCH CO
40H C 47913			ST	3.00 GPM	12/15/1981	NWNENW	3	27N	13E	CH	GROUNDWATER	IX RANCH CO
40H C 47983			ST	1.00 GPM	11/30/1981	NWNWSW	28	29N	14E	CH	GROUNDWATER	SAND CREEK RANCH LLC
40H C 47984			ST	3.00 GPM	11/30/1981	NESWNE	35	29N	14E	CH	GROUNDWATER	SAND CREEK RANCH LLC
40H C 47985			ST	15.00 GPM	11/30/1981	N2NWSE	26	29N	14E	CH	GROUNDWATER	SAND CREEK RANCH LLC
40H C 47986			ST	5.00 GPM	11/30/1981	NWSWSE	25	29N	14E	CH	GROUNDWATER	SAND CREEK RANCH LLC
40H C 47987			ST	1.00 GPM	11/30/1981	S2SWSE	25	29N	14E	CH	GROUNDWATER	SAND CREEK RANCH LLC
40H C 47988			ST	3.00 GPM	11/30/1981	NWSESE	25	29N	13E	CH	GROUNDWATER	SAND CREEK RANCH LLC
40H C 48001			DM	50.00 GPM	12/02/1981	NWNWNW	13	28N	12E	CH	GROUNDWATER	TRIPLE E INC
40H C 48002			ST	99.00 GPM	12/02/1981	SWNESE	13	29N	11E	CH	GROUNDWATER	TRIPLE E INC
40H C 49778			CM	16.00 GPM	04/08/1982	NESWNW	35	30N	13E	HI	GROUNDWATER	BELCOURT ENTERPRISES INC.
40H C 49818			DM LG	10.00 GPM	04/14/1982	SWNENW	35	30N	13E	HI	GROUNDWATER	PONTRUFF, HEATHER
40H C 50907			DM LG	15.00 GPM	07/09/1982	SESWSE	5	32N	15E	HI	GROUNDWATER	HAMILTON, AMANDA HAMILTON, SETH J
40H C 50976			LG ST	24.00 GPM	04/28/1982	SWSWSE	5	32N	15E	HI	GROUNDWATER	GEHRINGER, CHARLES D GEHRINGER, SHARON M

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40H C 51002			ST	15.00 GPM	04/29/1982	NESENW	3	29N	13E	CH	GROUNDWATER	JOLIN LAND COMPANY
40H C 51240			CM DM	26.00 GPM	01/25/1983	SESWNW	19	28N	13E	CH	GROUNDWATER	EZZIES WHOLESALE INC
40H C 51267			DM LG ST	20.00 GPM	03/16/1983	NWNESW	29	30N	13E	HI	GROUNDWATER	GRASS & SONS INC
40H C 51360			DM	20.00 GPM	10/24/1983	NWNENW	9	32N	15E	HI	GROUNDWATER	KELLER, CASSIE KELLER, JOSHUA P
40H C 51363			DM LG	15.00 GPM	10/26/1983	SESWSW	4	32N	15E	HI	GROUNDWATER	WILLIAMS, DAVID
40H C 51365			ST	1.00 GPM	10/26/1983	SESWSE	6	28N	16E	HI	GROUNDWATER	COWAN, WILLIAM & BARBARA B LLC
40H C 54778			ST	20.00 GPM	10/01/1984	SESWSW	34	28N	13E	CH	GROUNDWATER	IX RANCH CO
40H C 54795			AS CM IR LG ST	15.00 GPM	11/14/1984	NENESW	19	28N	13E	CH	GROUNDWATER	DARLINGTON, BRENDA DARLINGTON, RICK E
40H C 54808			AS DM LG ST	18.00 GPM	12/07/1984	NENESE	23	28N	14E	CH	GROUNDWATER	KELLER, HARVEY L
40H C 58234			DM LG	17.00 GPM	02/25/1986	NWNENW	35	30N	13E	HI	GROUNDWATER	HILL COUNTY SCHOOL DISTRICT #13G JAYNES, JENNIFER
40H C 58235			DM LG	60.00 GPM	03/17/1986	NESENW	35	30N	13E	HI	GROUNDWATER	HILL COUNTY SCHOOL DISTRICT #13G
40H C 62712			ST	21.00 GPM	09/15/1986	NENESW	33	28N	13E	CH	GROUNDWATER	IX RANCH CO
40H C 62716			DM LG	30.00 GPM	09/25/1986	NENWNW	35	30N	13E	HI	GROUNDWATER	MENARD, DANITA MENARD, MARK
40H C 62773			LG	6.00 GPM	04/09/1987	SWNENW	19	28N	13E	CH	GROUNDWATER	COX, GABRIEL D COX, RALPH D
40H C 62882			AS	10.00 GPM	05/10/1988	NENESW	32	30N	13E	HI	GROUNDWATER	GRASS FARMS INC

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40H C 62882			DM LG ST	10.00 GPM	05/10/1988	NENESW	32	30N	13E	HI		GROUNDWATER	
40H C 62883			AS DM LG ST	6.00 GPM	05/10/1988	NENESW	32	30N	13E	HI		GROUNDWATER	GRASS FARMS INC
40H C 68524			ST	4.00 GPM	09/16/1988	NESENW	27	31N	15E	HI		GROUNDWATER	BAR TRIANGLE J RANCH INC
40H P 68527			ST		10/03/1988	NWSWSW	9	31N	15E	HI	UT	BIG SANDY CREEK	NEUWERTH, ALAN M
40H C 68529			DM LG	15.00 GPM	10/06/1988	NWNENW	9	32N	15E	HI		GROUNDWATER	ONEIL, JOHN S ONEIL, MICHELLE M
40H C 68575			ST	13.00 GPM	12/07/1988	NESENW	2	27N	13E	CH		GROUNDWATER	IX RANCH CO
40H C 71643			DM	5.00 GPM	09/12/1989	SESWNW	25	31N	13E	HI		GROUNDWATER	KIEMELE, KENNETH A INC
40H C 71677			ST	22.50 GPM	01/04/1990	SWSENE	4	28N	13E	CH		GROUNDWATER	CHAUVET REAL ESTATE LLC MONTANA STATE BOARD OF LAND COMMISSIONERS
40H C 71678			ST	16.00 GPM	01/04/1990	SESWNE	22	28N	14E	CH		GROUNDWATER	CHAUVET REAL ESTATE LLC CHAUVET, SCOTT M REVOCABLE TRUST CHAUVET, SHANE R REVOCABLE TRUST CHAUVET, SHELLEY L REVOCABLE TRUST
40H P 71679			ST		01/10/1990	NESWNW	1	28N	13E	CH	UT	GORMAN CREEK	RAY, JAMES C
40H C 75858			ST	23.00 GPM	12/04/1990	SWNWSE	33	28N	13E	CH		GROUNDWATER	IX RANCH CO
40H C 75859			ST	23.00 GPM	12/04/1990	NENESW	29	28N	13E	CH		GROUNDWATER	IX RANCH CO
40H C 77376			ST	20.00 GPM	06/27/1991	SESWNE	30	29N	16E	HI		GROUNDWATER	KALLENBERGER, DEBRA A KALLENBERGER, RAYMOND L
40H C 78500			ST	24.00 GPM	10/30/1991	SWSWNE	29	28N	13E	CH		GROUNDWATER	IX RANCH CO
40H P 78808			ST		12/30/1991	NWSWNW	1	28N	13E	CH	UT	GORMAN CREEK	RAY, JAMES C
40H C 78820			ST	1.50 GPM	01/24/1992	SWNE	35	29N	14E	CH		GROUNDWATER	SAND CREEK RANCH LLC
40H C 81174			ST	10.00 GPM	09/28/1992	SESESE	32	30N	15E	HI		GROUNDWATER	CONRAD O. NYSTROM REVOCABLE TRUST
40H C 81181			MD	7.00 GPM	10/15/1992	NENENW	30	31N	15E	HI		GROUNDWATER	WILSON, KENNETH J
40H C 83317			ST	2.50 GPM	11/02/1992	NWNESW	32	30N	15E	HI		GROUNDWATER	CONRAD O. NYSTROM REVOCABLE TRUST

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40H C 83318			ST	10.00 GPM	11/02/1992	SWNWNE	19	29N	16E	HI	GROUNDWATER	CONRAD O. NYSTROM REVOCABLE TRUST	
40H C 83319			ST	3.00 GPM	11/02/1992	SWNWNE	19	29N	16E	HI	GROUNDWATER	CONRAD O. NYSTROM REVOCABLE TRUST	
40H C 83320			DM LG	5.00 GPM	11/02/1992	NWSENW	19	29N	16E	HI	GROUNDWATER	NYSTROM, CONRAD	
40H C 83321			ST	5.00 GPM	11/02/1992	NESESW	19	29N	16E	HI	GROUNDWATER	CONRAD O. NYSTROM REVOCABLE TRUST	
40H C 83322			ST	5.00 GPM	11/02/1992	NESWSW	18	29N	16E	HI	GROUNDWATER	CONRAD O. NYSTROM REVOCABLE TRUST	
40H C 83323			ST	5.00 GPM	11/02/1992	NESWSE	19	29N	16E	HI	GROUNDWATER	CONRAD O. NYSTROM REVOCABLE TRUST	
40H C 83361			ST	2.00 GPM	03/08/1993	SWSENE	5	31N	15E	HI	GROUNDWATER	OTTO, ALLAN D OTTO, LUCINDA F	
40H C 86837			ST	3.50 GPM	02/09/1994	NENWSE	36	28N	14E	CH	GROUNDWATER	KELLER, HARVEY L	
40H C 86842			ST	12.00 GPM	02/14/1994	SWNESE	15	30N	15E	HI	GROUNDWATER	NYSTROM, SHAWN D	
40H C 86843			ST	12.00 GPM	02/14/1994	NWSENE	22	30N	15E	HI	GROUNDWATER	NYSTROM, SHAWN D	
40H C 86861			ST	2.00 GPM	03/03/1994	SWSESE	26	29N	12E	CH	GROUNDWATER	DANREUTHER, CORY	
40H C 98657			DM	32.00 GPM	03/12/1997	NWNWNW	9	32N	15E	HI	GROUNDWATER	LEIBRAND, TODD R	
40H C 98677			DM	33.00 GPM	09/17/1997	NWNWNW	9	32N	15E	HI	GROUNDWATER	WIMMER, BECKY WIMMER, CHARLES A	
40H C 105712			DM	10.00 GPM	01/07/1999	NENWSW	9	32N	15E	HI	GROUNDWATER	WOOD, SANDRA R	
40H C 105719			DM	20.00 GPM	02/02/1999	NENESE	6	32N	15E	HI	GROUNDWATER	ACOR, ANGIE O ACOR, CAMERON L	
40H P 105746			ST		06/08/1999	NENWNW	32	29N	10E	CH	SIXMILE COULEE	FINKE, ROBERT W	
40H P 108333			ST		12/23/1999	SWSESE	14	30N	10E	HI	UT	FOURTEENMILE COULEE	HIDDEN VALLEY COLONY INC
40H C 108358			DM	18.00 GPM	02/09/2000	NWNWSW	9	32N	15E	HI	GROUNDWATER	TILZEY, LEVI TILZEY, SAMANTHA	
40H C 112163			ST	3.00 GPM	06/21/2001	NWSESW	32	28N	14E	CH	GROUNDWATER	BERLINGER, COREY BERLINGER, RITA	
40H P 117703			ST		11/20/2001	SWNWSE	35	28N	13E	CH	UT	BIG SANDY CREEK	BERLINGER, COREY BERLINGER, RITA
40H P 117704			ST		11/20/2001	NWSWNW	32	28N	14E	CH	UT	BIG SANDY CREEK	BERLINGER, COREY BERLINGER, RITA
40H C 30000035			DM	7.50 GPM	12/14/2001	NWNW	13	31N	14E	HI	GROUNDWATER	MARINKOVICH, TAMMY	

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						QTR SEC	SEC TWP	RGE	CN				
40H C 30000035				7.50 GPM	12/14/2001	NWNW	13	31N	14E	HI	GROUNDWATER	MARINKOVICH, THOMAS G	
40H C 30000401			ST	1.00 GPM	01/10/2002	NWSENE	22	29N	14E	CH	SP	GROUNDWATER	SAND CREEK RANCH LLC
40H C 30000402			ST	1.00 GPM	01/10/2002	NWNWSW	22	29N	14E	CH	SP	GROUNDWATER	SAND CREEK RANCH LLC
40H C 30000403			ST	1.00 GPM	01/10/2002	NWNWNE	29	29N	14E	CH	SP	GROUNDWATER	SAND CREEK RANCH LLC
40H C 30000404			ST	1.00 GPM	01/10/2002	SENESE	29	29N	14E	CH	SP	GROUNDWATER	SAND CREEK RANCH LLC
40H C 30000405			ST	1.00 GPM	01/10/2002	NESWNW	28	29N	14E	CH	SP	GROUNDWATER	SAND CREEK RANCH LLC
40H C 30000406			ST	1.00 GPM	01/10/2002	SWSWNW	28	29N	14E	CH	SP	GROUNDWATER	SAND CREEK RANCH LLC
40H C 30000407			ST	1.00 GPM	01/10/2002	NENENW	28	29N	14E	CH	SP	GROUNDWATER	SAND CREEK RANCH LLC
40H C 30000408			ST	1.00 GPM	01/10/2002	SWSESE	27	29N	14E	CH	SP	GROUNDWATER	SAND CREEK RANCH LLC
40H C 30000409			ST	1.00 GPM	01/10/2002	NESWSE	26	29N	14E	CH	SP	GROUNDWATER	SAND CREEK RANCH LLC
40H C 30000410			ST	1.00 GPM	01/10/2002	NENENE	35	29N	14E	CH	SP	GROUNDWATER	SAND CREEK RANCH LLC
40H C 30000411			ST	1.00 GPM	01/10/2002	NWNWSW	25	29N	14E	CH	SP	GROUNDWATER	SAND CREEK RANCH LLC
40H C 30000412			ST	1.00 GPM	01/10/2002	NENESW	25	29N	14E	CH	SP	GROUNDWATER	SAND CREEK RANCH LLC
40H C 30000982			DM	12.00 GPM	02/15/2002	SENESE	8	32N	15E	HI	GROUNDWATER	RUFF, EDWARD M	
40H C 30003312			DM ST	5.00 GPM	08/20/2002	NWSENE	19	29N	16E	HI	GROUNDWATER	NYSTROM, CONRAD	
40H C 30003313			DM LG	16.00 GPM	08/21/2002	NWNW	35	30N	13E	HI	GROUNDWATER	MENARD, DANITA MENARD, MARK	
40H C 30004931			ST	8.00 GPM	01/07/2003	NWSENE	26	28N	13E	CH	SP	GROUNDWATER	CHAUVET RANCH CO
40H C 30005086			IR	30.00 GPM	01/22/2003	SWNWSW	22	29N	15E	HI	GROUNDWATER	ROCKY BOY SCHOOL DISTRICT #87	
40H C 30008994			DM LG		12/18/2003	N2NENW	35	31N	15E	HI	GROUNDWATER	SHERMAN, ALBERT O SHERMAN, JEAN L	
40H P 30009192			ST		12/30/2003	NWNENW	30	31N	15E	HI	UT	CONNER COULEE	WILSON, KENNETH J
40H P 30009194			ST		12/30/2003	NWNWNW	19	31N	15E	HI	UT	CONNER COULEE	LAREDO FINANCIAL BUSINESS & REAL ESTATE LLC
40H C 30009332			DM ST		01/14/2004	NWSESE	12	28N	10E	CH	GROUNDWATER	TESTER, R JON TESTER, SHARLA D	
40H C 30009333			DM		01/14/2004	NENWSW	23	31N	14E	HI	GROUNDWATER	LAREDO FINANCIAL BUSINESS & REAL ESTATE LLC	
40H C 30009334			DM		01/14/2004	NENENW	23	31N	14E	HI	GROUNDWATER	LAREDO FINANCIAL BUSINESS & REAL ESTATE LLC	
40H C 30009335			DM		01/14/2004	NWSWNW	23	31N	14E	HI	GROUNDWATER	LAREDO FINANCIAL BUSINESS & REAL ESTATE LLC	

**DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
BIG SANDY CREEK
BASIN 40H
EXHIBIT C
WATER RIGHTS BY WATER RIGHT ID NUMBER**

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WATER RIGHT ID	LATE	HISTORICAL	USE	FLOW RATE	ENFORCEABLE PRIORITY DATE	POINT OF DIVERSION				TRIB	SOURCE NAME	OWNER NAME	
						QTR	SEC	TWP	RGE				CN
40H C 30009336			DM		01/14/2004	NENENW	23	31N	14E	HI	GROUNDWATER	LAREDO FINANCIAL BUSINESS & REAL ESTATE LLC	
40H C 30009337			DM		01/14/2004	SENENW	23	31N	14E	HI	GROUNDWATER	LAREDO FINANCIAL BUSINESS & REAL ESTATE LLC	
40H C 30009338			DM		01/14/2004	NENENW	30	31N	15E	HI	SP	GROUNDWATER	WILSON, KENNETH J
40H C 30012672			DM		10/20/2004	SWSE	26	30N	13E	HI	GROUNDWATER	KOMEOTIS, KOSONDRA STUMP, ABLAZAH	
40H C 30013211			ST		11/18/2004	SWSWNE	14	30N	15E	HI	SP	GROUNDWATER	BOYCE, DONALD L BOYCE, MARLA J
40H C 30013212			ST		11/18/2004	SWNESE	14	30N	15E	HI	SP	GROUNDWATER	BOYCE, DONALD L BOYCE, MARLA J
40H C 30013213			ST		11/18/2004	NWSESE	14	30N	15E	HI	SP	GROUNDWATER	BOYCE, DONALD L BOYCE, MARLA J
40H C 30013216			ST		11/18/2004	SWNENE	23	30N	15E	HI	SP	GROUNDWATER	BOYCE, DONALD L BOYCE, MARLA J
40H C 30013217			ST		11/18/2004	SWNWNE	21	30N	15E	HI	SP	GROUNDWATER	BOYCE, DONALD L BOYCE, MARLA J
40H C 30013218			ST		11/18/2004	NESWSE	21	30N	15E	HI	SP	GROUNDWATER	BOYCE, DONALD L BOYCE, MARLA J
40H C 30013219			ST		11/18/2004	NESENW	28	30N	15E	HI	SP	GROUNDWATER	BOYCE, DONALD L BOYCE, MARLA J
40H C 30013226			DM LG		11/30/2004	SWSE	5	32N	15E	HI	GROUNDWATER	WAGNER, ARNOLD	
40H C 30015957			DM LG	10.00 GPM	07/25/2005	NENENE	26	31N	14E	HI	GROUNDWATER	LAREDO FINANCIAL BUSINESS & REAL ESTATE LLC	
40H C 30015958			DM ST		07/25/2005	NENWNE	27	31N	14E	HI	GROUNDWATER	LAREDO FINANCIAL BUSINESS & REAL ESTATE LLC	
40H C 30016117			DM LG		08/08/2005	NWNW	9	32N	15E	HI	GROUNDWATER	ERICKSON, KELLY	
40H C 30018900			DM		01/20/2006	NWSESE	23	31N	14E	HI	GROUNDWATER	BROWN, DAVID W	
40H C 30022264			DM		05/18/2006	E2NENE	1	31N	14E	HI	GROUNDWATER	REIGHARD, DONALD J	
40H C 30041942			ST		02/14/2008	N2SWSW	30	28N	14E	CH	GROUNDWATER	GENEREUX, GAYE L GENEREUX, ROGER L	

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						QTR	SEC	TWP	RGE CN			
40H C 30041943			ST		02/14/2008	SWNESW	26	28N	13E CH		GROUNDWATER	GENEREUX, GAYE L GENEREUX, ROGER L
40H C 30041944			ST		02/14/2008	NENWSW	7	27N	15E CH		GROUNDWATER	GENEREUX, GAYE L GENEREUX, ROGER L
40H C 30041945			ST		02/14/2008	NWSESE	17	28N	14E CH		GROUNDWATER	GENEREUX, GAYE L GENEREUX, ROGER L
40H C 30041946			ST		02/14/2008	SESENW	25	28N	13E CH		GROUNDWATER	GENEREUX, GAYE L GENEREUX, ROGER L
40H C 30041947			ST		02/14/2008	NENENW	19	28N	14E CH		GROUNDWATER	GENEREUX, GAYE L GENEREUX, ROGER L
40H C 30044765			LG MD	20.00 GPM	12/12/2008	NWNW	35	30N	13E HI		GROUNDWATER	HILL COUNTY SCHOOL DISTRICT #13G
40H C 30044766			DM ST	30.00 GPM	12/30/2008	NWNWNE	29	30N	13E HI		GROUNDWATER	NIEDEREGGER, PAUL NIEDEREGGER, VICKI F
40H C 30047724			FW ST	12.00 GPM	12/16/2009	NWSENW	6	28N	14E CH		GROUNDWATER	RAY, JAMES C
40H C 30051051			DM LG	10.00 GPM	05/10/2011	N2NWNE	35	31N	15E HI		GROUNDWATER	SCHAUB, DANIEL B
40H C 30064147			ST	30.00 GPM	10/01/2012	NWSWSE	31	29N	16E HI		GROUNDWATER	KALLENBERGER, DEBRA A KALLENBERGER, RAYMOND L
40H C 30064148			ST	30.00 GPM	10/01/2012	NWNWSE	31	29N	16E HI		GROUNDWATER	KALLENBERGER, DEBRA A KALLENBERGER, RAYMOND L
40H C 30066844			AS DM LG	11.00 GPM	07/18/2013	NENENW	35	30N	11E HI		GROUNDWATER	MONETTE FARMS USA INC
40H C 30068774			ST	10.00 GPM	01/31/2014	NENENW	20	29N	14E CH		GROUNDWATER	HANSON, LORRIE HANSON, PAUL
40H C 30072647			DM LG ST	20.65 GPM	02/26/2015	E2NWNE	17	29N	14E CH		GROUNDWATER	POINTER, SANDI S
40H P 30103405			ST		08/03/2015	SENESE	34	30N	14E HI	UT	BOXELDER CREEK	MONTANA STATE BOARD OF LAND COMMISSIONERS

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BIG SANDY CREEK
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						QTR	SEC	TWP	RGE				CN
40H P 30103406			ST		08/03/2015	SWSESE	34	30N	14E	HI	UT	BOXELDER CREEK	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H P 30103407			ST		08/03/2015	SWSWSE	34	30N	14E	HI	UT	BOXELDER CREEK	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H P 30103408			ST		08/03/2015	SWSWSE	34	30N	14E	HI	UT	BOXELDER CREEK	MONTANA STATE BOARD OF LAND COMMISSIONERS
40H C 30110039			DM	6.50 GPM	08/21/1973	SESESW	3	31N	14E	HI		GROUNDWATER	JESS, DORIS M JESS, LARRY F
40H P 30112101			ST		07/13/2017	SWSWSW	19	30N	11E	HI		FOURTEENMILE COULEE	MONETTE FARMS USA INC
40H P 30112102			ST		07/13/2017	SENWSW	18	30N	11E	HI	UT	FOURTEENMILE COULEE	MONETTE FARMS USA INC
40H C 30118867			DM LG ST	12.00 GPM	08/03/2018	NESENW	30	31N	15E	HI		GROUNDWATER	LAREDO FINANCIAL BUSINESS & REAL ESTATE LLC
40H C 30118868			DM LG ST	25.00 GPM	08/03/2018	NWNENE	26	31N	14E	HI		GROUNDWATER	LAREDO FINANCIAL BUSINESS & REAL ESTATE LLC
40H P 30124819			ST		05/23/2019	NWNWSE	8	31N	15E	HI	UT	BIG SANDY CREEK	MCINTOSH, ALEC D
40H C 30151675			DM LG ST	33.00 GPM	03/08/2021	NENENE	8	32N	15E	HI		GROUNDWATER	COTE, BRIANNA COTE, KRISTOPHER
40H P 30152464			ST		05/26/2021	NENWSW	15	28N	14E	CH		GORMAN CREEK, SOUTH FORK	GENEREUX, ROGER A
40H P 30152465			ST		05/26/2021	SWSWSE	16	28N	14E	CH	UT	GORMAN CREEK	GENEREUX, ROGER A

Basin 40H includes water rights recognized in the Chippewa Cree Tribe-Montana Compact. Water Rights within basin 40H recognized in the Chippewa Cree Tribe-Montana Compact are incorporated into this tabulation by reference and without modification.