

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

03/31/95
PAGE 2,297

WATER RIGHT NUMBER: 400-W-076665-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): STOCK

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

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
O1 SWNW 15 26N 38E VALLEY DAM
RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
O1 ONSTREAM SWNW 15 26N 38E VALLEY
RESERVOIR/LAKE NAME: RAIN RESERVOIR

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
O01 SWNW 15 26N 38E VALLEY
BEDROCKS:

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

* B 15

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MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
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WATER RIGHT NUMBER 400-W-076665-00 (CONTINUED)

REMARKS CONTINUED:

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

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

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

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

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

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

03/31/95
PAGE 2,299

WATER RIGHT NUMBER 400-W-076666-00

IMPORTANT NOTICE

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

PURPOSE (USE): STOCK

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

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01								SNNWNE 17 26N 38E VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM						SNNWNE 17 26N 38E VALLEY

RESERVOIR/LAKE NAME: BOONE RESERVOIR

* PLACE OF USE FOR STOCK:

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

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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

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WATER RIGHT NUMBER 1400-W-076666-00 (CONTINUED)

REMARKS CONTINUED:

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

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
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WATER RIGHT NUMBER 400-W-076667-00

IMPORTANT NOTICE

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

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

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: 3.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNWNE 17 26N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNWNE 17 26N 38E VALLEY

RESERVOIR/LAKE NAME: BOONE RESERVOIR

* PLACE OF USE FOR WILDLIFE:

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

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

REMARKS CONTINUED:

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

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

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER: 400-W-076668-00

IMPORTANT NOTICE

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

PURPOSE (USE): WILDLIFE

SOURCE: WILDERNESS COULEE
SOURCE TYPE: SURFACE WATER

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

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

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

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

01 (GOVT) 1 NWNW 18 26N 38E VALLEY DAM

RESERVOIR:

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

01 ONSTREAM NWNW 18 26N 38E VALLEY

PLACE OF USE FOR WILDLIFE:

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

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

REMARKS:

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RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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

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WATER RIGHT NUMBER W-076668-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076668-00, W076669-00.

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

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

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

03/31/95
PAGE 2,305

WATER RIGHT NUMBER 4003-W-076659-00

IMPORTANT NOTICE

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

PURPOSE (USE): STOCK

SOURCE: WILDERNESS COULEE
SOURCE TYPE: SURFACE WATER

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01	(GOUT)	1		NW	NW	18	26N	38E	VALLEY DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	DOWNSTREAM			NW	NW	18 26N 38E VALLEY

* PLACE OF USE FOR STOCK:

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

REMARKS:

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

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PAGE 2,306

WATER RIGHT NUMBER: 400-W-076669-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076668-00, W076669-00.

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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03/31/95
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WATER RIGHT NUMBER 4002-W-076670-00

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36600
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: 4.10 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

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

RESERVOIR:

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

PLACE OF USE FOR WILDLIFE:

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

REMARKS:

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PRELIMINARY DECREE
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WATER RIGHT NUMBER 1400X-W-076670-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076670-00, W076671-00.

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

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

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

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

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

03/31/95
PAGE 2,309

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

IMPORTANT NOTICE

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

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

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

* PURPOSE (USE): STOCK

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

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SENESE 19 26N 30E VALLEY DAM

RESERVOIR: ----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SENESE 19 26N 30E VALLEY

PLACE OF USE FOR STOCK: ----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SENESE 19 26N 30E VALLEY

REMARKS:

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

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

03/31/95
PAGE 2,310

WATER RIGHT NUMBER 400-W-076671-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076670-00, W076671-00.

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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P.O. BOX 879, BOZEMAN MT 59711-0879.

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

03/31/95
PAGE 2,311

WATER RIGHT NUMBER 4001-W-076672-00

IMPORTANT NOTICE

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

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: 4.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESW 19 26N 38E VALLEY DAM
RESERVOIR:

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

PLACE OF USE FOR WILDLIFE:

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

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

03/31/95
PAGE 2,312

WATER RIGHT NUMBER 4003-W-076672-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076672-00, W076673-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 254 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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

03/31/95
PAGE 2,313

WATER RIGHT NUMBER: 400-W-076673-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): STOCK

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

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

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

RESERVOIR:

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

PLACE OF USE FOR STOCK:

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

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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

03/31/95
PAGE 2,314

WATER RIGHT NUMBER 400-V-076673-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076672-00, W076673-00.

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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P.O. BOX 679, BOZEMAN MT 59711-0879.

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

03/31/95
PAGE 2,315

WATER RIGHT NUMBER 400-W-076674-00

IMPORTANT NOTICE

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

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

PURPOSE (USE): STOCK

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

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

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

VOLUME: 13.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENE 22 26N 38E VALLEY DAM

RESERVOIR:

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

PLACE OF USE FOR STOCK:

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

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

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

03/31/95
PAGE 2,316

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

REMARKS CONTINUED:

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

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

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59721-0879.

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

03/31/95
PAGE 2,317

WATER RIGHT NUMBER 4002-W-076675-00

IMPORTANT NOTICE

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

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

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NW	NE	23	26N	38E	VALLEY DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
01			ON	STREAM		NW	NE	23 26N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

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

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

03/31/95
PAGE 2,318

WATER RIGHT NUMBER 400-W-076675-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076675-00, W076676-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
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* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1998) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
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* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,319

WATER RIGHT NUMBER 400-W-076675-00

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

PURPOSE (USE): STOCK

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

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

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

RESERVOIR:

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

* PLACE OF USE FOR STOCK:

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

REMARKS:

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

03/31/95
PAGE 2,320

WATER RIGHT NUMBER 400-W-076676-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076675-00, W076676-00.

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

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

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

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

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

03/31/95
PAGE 2,321

WATER RIGHT NUMBER 14002-W-076677-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): FLOOD CONTROL

SOURCE: WILDERNESS COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1957
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 280.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENW 24 26N 38E VALLEY DAM

RESERVOIR:

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

RESERVOIR/LAKE NAME: CACTUS FLATS RESERVOIR
CAPACITY: 111.0 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 72.00 ACRES

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

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

* PLACE OF USE FOR FLOOD CONTROL:

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

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

03/31/95
PAGE 2,322

WATER RIGHT NUMBER 400-W-076677-00 (CONTINUED)

PLACE OF USE CONTINUED:

004

N25W 24 26N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076677-00, W076678-00, W076679-00.

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

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

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

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

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

03/31/95
PAGE 2,323

WATER RIGHT NUMBER 400-W-076678-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): WILDLIFE

SOURCE: WILDERNESS COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1957
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 19.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

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

RESERVOIR:

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

RESERVOIR/LAKE NAME: CACTUS FLATS RESERVOIR
CAPACITY: 411.0 AC-EI DAM HEIGHT: 18.5' SURFACE AREA: 72.00 ACRES

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

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

* PLACE OF USE FOR WILDLIFE:

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

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

03/31/95
PAGE 2,324

WATER RIGHT NUMBER 400-W-076678-00 (CONTINUED)

PLACE OF USE CONTINUED:

004 N2SW 24 26N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076677-00, W076678-00, W076679-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1900) (THE BEAN CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x x x

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

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

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

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

03/31/95
PAGE 2,325

WATER RIGHT NUMBER: 4003-V-076679-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): STOCK

SOURCE: WILDERNESS COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1957
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENW 24 26N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 UNSTREAM SENW 24 26N 38E VALLEY

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

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

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SENE 23 26N 38E VALLEY
002 NESE 23 26N 38E VALLEY
003 SESE 24 26N 38E VALLEY

001

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

03/31/95
PAGE 2,326

WATER RIGHT NUMBER 400-W-076679-00 (CONTINUED)

PLACE OF USE CONTINUED:

004

N25W 24 26N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076677-00, W076678-00, W076679-00.

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

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

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

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

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

03/31/95
PAGE 2,327

WATER RIGHT NUMBER 4001-W-076680-00

IMPORTANT NOTICE

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

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

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

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

SOURCE: WILDERNESS COULEE
SOURCE TYPE: SURFACE WATER

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

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

VOLUME: 162.00 AF
CLIMATIC AREA: 2

MAXIMUM ACRES: 108.00

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		NESW	24	26N	38E	VALLEY	DAM	

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		NESW	24	26N	38E	VALLEY	DAM	
CAPACITY: 411.0 AC-FT DAM HEIGHT: 18.51 SURFACE AREA: ACRES								

* PLACE OF USE FOR IRRIGATION:

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

* B 17

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

03/31/95
PAGE 2,328

WATER RIGHT NUMBER 400-W-076680-001 (CONTINUED)

REMARKS CONTINUED:

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING *
* SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 1 TO *
* OCTOBER 31. *
* * * * *

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

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

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

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

03/31/95
PAGE 2,329

WATER RIGHT NUMBER 400-W-076681-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): WILDLIFE

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

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

FLOW RATE: 4.49 GPM

VOLUME: 6.86 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

01 SWSWNW 25 26N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SWSWNW 25 26N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076681-00, W076682-00.

ABSTRACT OF WATER RIGHT CLAIM

REMARKS CONTINUED:

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

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

VOLUME MAY BE EXCESSIVE. BASED ON THE FLOW RATE AND PERIOD OF USE, THE SYSTEM WOULD HAVE TO RUN 22.6 HOURS PER DAY TO DELIVER THE CLAIMED VOLUME. NO INFORMATION EXISTS IN THE CLAIM FILE TO CONFIRM THIS FIGURE.

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

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

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

09/31/95
PAGE 2,331

WATER RIGHT NUMBER 400-W-076682-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): STOCK

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

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

FLOW RATE: 4.49 GPM

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION:

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

01 SWSWNW 25 26N 38E VALLEY

* PLACE OF USE FOR STOCK:

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

001 SWSWNW 25 26N 38E VALLEY

REMARKS:

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

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

03/31/95
PAGE 2,332

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

REMARKS CONTINUED:

W076681-00, W076682-00.

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

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

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

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

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

03/31/95
PAGE 2,333

WATER RIGHT NUMBER: 400-W-076683-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-235, MONTANA CODE ANNOTATED.)

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

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: 4.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWNE 25 26N 30E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SWNE 25 26N 30E VALLEY

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SWNE 25 26N 30E VALLEY

REMARKS:

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

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076583-00, W076684-00

2 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS 1
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 1
2 UNRESOLVED IF NO OBJECTIONS ARE FILED. 1

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

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

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

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

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

03/31/95
PAGE 2,335

WATER RIGHT NUMBER 400-W-076684-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): STOCK

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

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SWNE	25	26N	38E	VALLEY	DNM	

RESERVOIR:

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

PLACE OF USE FOR STOCK:

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

REMARKS:

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

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

03/31/95
PAGE 2,336

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

REMARKS CONTINUED:

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

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59717-0879.

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

03/31/95
PAGE 2,337

WATER RIGHT NUMBER: 400-W-076685-00

IMPORTANT NOTICE

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

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

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

PURPOSE/USE: STOCK

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

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SE	NW	NE	25	26N	38E VALLEY	DAM

RESERVOIR:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM			SE	NW	NE	25	26N	38E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SE	NW	NE	25	26N	38E VALLEY

REMARKS:

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

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

03/31/95
PAGE 2,338

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

REMARKS CONTINUED:

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

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

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

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

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

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

03/31/95
PAGE 2,339

WATER RIGHT NUMBER 400-M-076686-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: 6.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNENE 25 26N 38E VALLEY DAM

RESERVOIR:

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

* PLACE OF USE FOR WILDLIFE:

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

REMARKS:

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REMARKS CONTINUED:

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

W076686-00, W076688-00

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

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

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

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

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

03/31/95
PAGE 2,341

WATER RIGHT NUMBER: 4003-W-076687-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: 9.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01							SENWNE 25 26N 38E VALLEY	DAM

RESERVOIR:

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

* PLACE OF USE FOR WILDLIFE:

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

REMARKS:

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

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

03/31/95
PAGE 2,342

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

REMARKS CONTINUED:

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

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

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

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

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

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

03/31/95
PAGE 2,343

WATER RIGHT NUMBER 400-W-076688-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): STOCK

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

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNE 25 26N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWNSTREAM NWNE 25 26N 38E VALLEY
THE DAM EXTENDS INTO SWSE SEC 24 TWP 26N RGE 38E
VALLEY COUNTY.

PLACE OF USE FOR STOCK:

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

REMARKS:

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

03/31/95
PAGE 2,344

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

REMARKS CONTINUED:

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

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

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

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

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

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

WATER RIGHT NUMBER 14001-W-076689-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): WILDLIFE

SOURCE: DOG CREEK
SOURCE TYPE: SURFACE WATER

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

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

VOLUME: 79.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

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

RESERVOIR:

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

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

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

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QIR SEC SEC TWP RGE COUNTY
001 SWSWSE 27 26N 38E VALLEY
002 SESW 27 26N 38E VALLEY

REMARKS:

* E 18

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

03/31/95
PAGE 2,346

WATER RIGHT NUMBER 14001-W-076689-001 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076589-00, W076590-00, W076591-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *
* THE CLAIMED VOLUME MAY BE EXCESSIVE FOR THE CLAIMED *
* PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. *
* * * * *

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

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

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

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

03/31/95
PAGE 2,347

WATER&RIGHT&NUMBER&400&-W-076690-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): STOCK

* SOURCE: DOG CREEK
SOURCE TYPE: SURFACE WATER

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSE 27 26N 38E VALLEY DAM

RESERVOIR:

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

RESERVOIR/LAKE NAME: DOG CREEK DENTENTION RESERVOIR
CAPACITY: 73.4 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: ACRES

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWSE 27 26N 38E VALLEY
002 SESW 27 26N 38E VALLEY

REMARKS:

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

03/31/95
PAGE 2,348

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

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076585-00, W076590-00, W076591-00.

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

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

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

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

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

03/31/95
PAGE 2,349

WATER RIGHT NUMBER 400-W-076691-00

IMPORTANT NOTICE

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

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

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

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

SOURCE: DOG CREEK
SOURCE TYPE: SURFACE WATER

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

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

VOLUME: 495.50 AF
CLIMATIC AREA: 2

MAXIMUM ACRES: 397.00

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SWSE	27	26N	38E	VALLEY		DIVERSION DAM

* PLACE OF USE FOR IRRIGATION:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001	13.80				S25W	26	26N	38E	VALLEY
002	4.40				S2625E	27	26N	38E	VALLEY
003	53.80				N2	34	26N	38E	VALLEY
004	247.50				N2	35	26N	38E	VALLEY
005	77.50				N2S2	35	26N	38E	VALLEY
TOTAL	397.00								

BEDDAYS:

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

03/31/95
PAGE 2,350

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

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076589-00, W076590-00, W076591-00.

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

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

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

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

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

03/31/95
PAGE 2,351

WATER RIGHT NUMBER 4002-W-076692-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): FLOOD CONTROL

SOURCE: DOG CREEK
SOURCE TYPE: SURFACE WATER

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

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

VOLUME: 70.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

_____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____	MEANS _____
01 SESESE 20 26N 38E VALLEY	DAM

RESERVOIR:

_____ QTR SEC SEC TWP RGE COUNTY _____
01 ONSTREAM SESESE 20 26N 38E VALLEY

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

THE DAM EXTENDS INTO THE N26NE SEC 29 TWP 26N RGE 38E
VALLEY COUNTY.

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

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

* PLACE OF USE FOR FLOOD CONTROL:

* K 18

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

03/31/95
PAGE 2,352

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

PLACE OF USE CONTINUED:

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

REMARKS:

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

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

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

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

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

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

03/31/95
PAGE 2,353

WATER RIGHT NUMBER: 4003-W-076693-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): WILDLIFE

SOURCE: DOG CREEK
SOURCE TYPE: SURFACE WATER

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

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

VOLUME: 9.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SESESE 20 26N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SESESE 20 26N 38E VALLEY

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

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

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

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

PLACE OF USE FOR WILDLIFE:

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

03/31/95
PAGE 2,354

WATER RIGHT NUMBER: 400-W-076693-00 (CONTINUED)

PLACE OF USE CONTINUED:

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

REMARKS:

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

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

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

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

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

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

03/31/95
PAGE 2,355

WATER RIGHT NUMBER: 400-W-076694-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): STOCK

SOURCE: DOG CREEK
SOURCE TYPE: SURFACE WATER

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

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

01 SESESE 20 26N 30E VALLEY DAM

RESERVOIR:

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

01 ONSTREAM SESESE 20 26N 30E VALLEY

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

THE DAM EXTENDS INTO THE N2ENE SEC 29 TWP 26N RGE 30E
VALLEY COUNTY.

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

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

* PLACE OF USE FOR STOCK:

* 0 18

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

03/31/95
PAGE 2,356

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

PLACE OF USE CONTINUED:

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

REMARKS:

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

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

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

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

03/31/95
PAGE 2,357

WATER RIGHT NUMBER 14001-W-076695-00

IMPORTANT NOTICE

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

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: 4.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SWSENE	29	26N	38E	VALLEY DAM

RESERVOIR:

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

RESERVOIR/LAKE NAME: WILDERNESS RESERVOIR

* PLACE OF USE FOR WILDLIFE:

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

REMARKS:

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

03/31/95
PAGE 2,358

WATER RIGHT NUMBER: 4001-W-076695-00 (CONTINUED)

REMARKS CONTINUED:

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

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

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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

03/31/95
PAGE 2,359

WATER RIGHT NUMBER 4002-V-076696-00

IMPORTANT NOTICE

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

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

PURPOSE (USE): STOCK

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

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01									
02									

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM						

RESERVOIR/LAKE NAME: WILDERNESS RESERVOIR

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001									
002									

REMARKS:

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

03/31/95
PAGE 2,360

WATER RIGHT NUMBER 400-V-076696-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
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IN ACCORD WITH HISTORICAL PRACTICES.
W076695-00, W076696-00

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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P.O. BOX 879, BOZEMAN MT 59711-0879.

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

03/31/95
PAGE 2,361

WATER RIGHT NUMBER 400-W-076697-00

IMPORTANT NOTICE

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

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

PURPOSE (USE): STOCK

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

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNW 29 26N 38E VALLEY DAM

RESERVOIR:

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

PLACE OF USE FOR STOCK:

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

REMARKS:

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

03/31/95
PAGE 2,362

WATER RIGHT NUMBER 400-W-076697-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076697-00, W076698-00.

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* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE CLAIMED PURPOSE (USE) CANNOT BE CONFIRMED DUE TO *
* LACK OF DATA. *
* * * * *
* EXISTENCE OF THE CLAIMED RESERVOIR CANNOT BE CONFIRMED *
* WITH AVAILABLE DATA. SEE CLAIM FILE FOR ADDITIONAL *
* INFORMATION. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,963

WATER RIGHT NUMBER 4002-W-076698-00

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

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC 1/4 RGE COUNTY	MEANS
01	SWNW 29 26N 38E VALLEY	DAM

RESERVOIR:

	QTR SEC SEC 1/4 RGE COUNTY
01	ONSTREAM SWNW 29 26N 38E VALLEY

PLACE OF USE FOR WILDLIFE:

	ACRES	LOT BLK QTR SEC SEC 1/4 RGE COUNTY
001		SWNW 29 26N 38E VALLEY

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

03/31/95
PAGE 2,364

WATER RIGHT NUMBER 400-W-076698-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076697-00, W076698-00.

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* * * * *

THE CLAIMED PURPOSE (USE) CANNOT BE CONFIRMED DUE TO
LACK OF DATA.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,365

WATER RIGHT NUMBER 400-W-076699-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): STOCK

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

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWNW 31 26N 30E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SWNW 31 26N 30E VALLEY

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SWNW 31 26N 30E VALLEY

REMARKS:

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

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

03/31/95
PAGE 2,366

WATER RIGHT NUMBER 4001-W-076699-00 (CONTINUED)

REMARKS CONTINUED:

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

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

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

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

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

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

03/31/95
PAGE 2,367

WATER RIGHT NUMBER: 4001-W-076700-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: 4.10 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNW 31 26N 38E VALLEY DAM

RESERVOIR:

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

PLACE OF USE FOR WILDLIFE:

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

BEDDARKS:

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

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

03/31/95
PAGE 2,368

WATER RIGHT NUMBER 400-W-076700-00 (CONTINUED)

REMARKS CONTINUED:

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

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

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

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

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

03/31/95
PAGE 2,369

WATER RIGHT NUMBER 400-W-076701-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESW 32 26N 30E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWNSTREAM NESW 32 26N 30E VALLEY

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESW 32 26N 30E VALLEY

REMARKS:

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

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

03/31/95
PAGE 2,370

WATER RIGHT NUMBER 1400-W-076701-00 (CONTINUED)

REMARKS CONTINUED:

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

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

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

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

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

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

03/31/95
PAGE 2,371

WATER RIGHT NUMBER: 4002-W-07602-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): STOCK

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

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND REQS OF DIVERSION:

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

01 NESW 32 26N 38E VALLEY DAM

RESERVOIR:

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

01 DNSTREAM NESW 32 26N 38E VALLEY

PLACE OF USE FOR STOCK:

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

001 NESW 32 26N 38E VALLEY

REMARKS:

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

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

03/31/95
PAGE 2,372

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

REMARKS CONTINUED:

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

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

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

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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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

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

03/31/95
PAGE 2,373

WATER RIGHT NUMBER: 400-W-076703-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: 3.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

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

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01			ONSTREAM	S25ENE	33	26N	38E VALLEY

* PLACE OF USE FOR WILDLIFE:

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

REMARKS:

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

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

03/31/95
PAGE 2,374

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

REMARKS CONTINUED:

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

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

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,375

WATER RIGHT NUMBER 400-4-076704-00

IMPORTANT NOTICE

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

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

PURPOSE (USE): STOCK

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

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY	MEANS
01		S2	E9	N 33	E 26	N 38	VALLEY DAM

RESERVOIR:

	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	S2	E9	N 33	E 26	N 38

* PLACE OF USE FOR STOCK:

	ACRES	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY
001			S2	E9	N 33	E 26	N 38

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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

03/31/95
PAGE 2,376

WATER RIGHT NUMBER 400-W-076704-00 (CONTINUED)

REMARKS CONTINUED:

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

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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

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

03/31/95
PAGE 2,377

WATER RIGHT NUMBER 400-W-076705-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: .60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NESENE 34 26N 38E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NESENE 34 26N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NESENE 34 26N 38E VALLEY

REMARKS:

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

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

03/31/95
PAGE 2,378

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

REMARKS CONTINUED:

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

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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

03/31/95
PAGE 2.379

WATER RIGHT NUMBER 400 - W-076706-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): STOCK

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

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK Q18 SEC SEC TWP RGE COUNTY MEANS -----
01 NESENE 34 26N 30E VALLEY PIT

RESERVOIR:

----- Q18 SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NESENE 34 26N 30E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK Q18 SEC SEC TWP RGE COUNTY -----
001 NESENE 34 26N 30E VALLEY

REMARKS:

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

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

03/31/95
PAGE 2,380

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

REMARKS CONTINUED:

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

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 679, BOZEMAN MT 59711-0679.

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

03-31-95
PAGE 2,381

WATER RIGHT NUMBER 400-V-076707-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWSNW 36 26N 38E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SWSNW 36 26N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SWSNW 36 26N 38E VALLEY

REMARKS:

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

03/31/95
PAGE 2,382

WATER RIGHT NUMBER 400-W-076707-00 (CONTINUED)

REMARKS CONTINUED:

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

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

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YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,383

WATER RIGHT NUMBER 400-W-076708-00

IMPORTANT NOTICE

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

PURPOSE (USE): STOCK

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

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QIR SEC SEC TWP RGE COUNTY MEANS

01 SWSNW 36 26N 38E VALLEY PIT

RESERVOIR:

QIR SEC SEC TWP RGE COUNTY

01 ONSTREAM SWSNW 36 26N 38E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOI BLK QIR SEC SEC TWP RGE COUNTY

001 SWSNW 36 26N 38E VALLEY

REMARKS:

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

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

03/31/95
PAGE 2,384

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

REMARKS CONTINUED:

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

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

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

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

03/31/95
PAGE 2,385

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

IMPORTANT NOTICE

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

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

PURPOSE (USE): WILDLIFE

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

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

FLOW RATE: 4.98 GPM

VOLUME: 7.64 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

01 SENE 36 26N 38E VALLEY

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SENE 36 26N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076709-00, W076710-00.

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

03/31/95
PAGE 2,387

WATER RIGHT NUMBER 4001-W-076710-00

IMPORTANT NOTICE

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

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

PURPOSE (USE): STOCK

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

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

FLOW RATE: 4.98 GPM

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

01 SENE 36 26N 38E VALLEY

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SENE 36 26N 38E VALLEY

REMARKS:

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* B 21

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

03/31/95
PAGE 2,388

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

REMARKS CONTINUED:

W076709-00, W076710-00.

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

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

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

03/31/95
PAGE 2,389

WATER RIGHT NUMBER: 400-W-076711-00

IMPORTANT NOTICE

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

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

PURPOSE (USE): STOCK

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

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC. TWP. RGE COUNTY MEANS

01 SWSE 03 26N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC. TWP. RGE COUNTY

01 ONSTREAM SWSE 03 26N 39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC. TWP. RGE COUNTY

001 S2SE 03 26N 39E VALLEY

REMARKS:

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

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

03/31/95
PAGE 2,390

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

REMARKS CONTINUED:

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

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

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

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

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

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

03/31/95
PAGE 2,391

WATER RIGHT NUMBER: 400-W-076712-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: 4.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01									

RESERVOIR:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01								

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001									

REMARKS:

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

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

03/31/95
PAGE 2,392

WATER RIGHT NUMBER 400-W-076712-00 (CONTINUED)

REMARKS CONTINUED:

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

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

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

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

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

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

03/31/95
PAGE 2,393

WATER RIGHT NUMBER: 4002-W-076713-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: 2.10 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNE 05 26N 39E VALLEY DAM

RESERVOIR:

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

PLACE OF USE FOR WILDLIFE:

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

REMARKS:

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

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

03/31/95
PAGE 2,394

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

REMARKS CONTINUED:

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

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

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

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

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

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

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

03/31/95
PAGE 2,395

WATER RIGHT NUMBER: 4003-W-076714-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

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

PURPOSE (USE): STOCK

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

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

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

01 SWNE 05 26N 39E VALLEY DAM

RESERVOIR:

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

01 CNSTREAM SWNE 05 26N 39E VALLEY

* PLACE OF USE FOR STOCK:

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

001 SWNE 05 26N 39E VALLEY

REMARKS:

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

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

03/31/95
PAGE 2,396

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

REMARKS CONTINUED:

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

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

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

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

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

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

03/31/95
PAGE 2,997

WATER RIGHT NUMBER 400-W-075715-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

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

RESERVOIR:

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

* PLACE OF USE FOR WILDLIFE:

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

REMARKS:

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

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

03/31/95
PAGE 2,398

WATER RIGHT NUMBER 400-W-076715-00 (CONTINUED)

REMARKS CONTINUED:

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

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS 1
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 2
3 UNRESOLVED IF NO OBJECTIONS ARE FILED. 2
4 2 2
5 2 2
6 2 2
7 THERE IS A QUESTION AS TO THE VALIDITY OF THIS 2
8 CLAIMED RIGHT. IN THE MATTER OF THE DEARDORN DRAINAGE 2
9 AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE 2
10 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE 2
11 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION 2
12 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND 2
13 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." 2
14 2 2
15 *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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

03/31/95
PAGE 2,399

WATER RIGHT NUMBER 400-W-076716-00

IMPORTANT NOTICE

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

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

PURPOSE (USE): STOCK

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

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

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

RESERVOIR:

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

* PLACE OF USE FOR STOCK:

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

REMARKS:

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

* N 21

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

03/31/95
PAGE 2,400

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

REMARKS CONTINUED:

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

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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

03/31/95
PAGE 2,401

WATER RIGHT NUMBER: 4001-V-076717-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): STOCK

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

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND HEADS OF DIVERSION:

LOT BLK Q18 SEC 2 TWP 26E COUNTY DEANS
01 NNESE OS 26N 39E VALLEY DAM

RESERVOIR:

Q18 SEC 2 TWP 26E COUNTY
01 DOWNSTREAM NNESE OS 26N 39E VALLEY

RESERVOIR/LAKE NAME: ROAD RESERVOIR

THE DAM EXTENDS INTO NNESE, SESENE, SEC 8 TWP 26N RGE 39E VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	1/2 SEC	SEC	TWP	RGE	COUNTY
CC1			SESWNE	7B	26N	39E	VALLEY
CC2			N2SE	26N	39E	VALLEY	
CC3			SWSE	26N	39E	VALLEY	

REMARKS:

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

23/31/95
PAGE 2,402

WATER RIGHT NUMBER 400-1-076717-00 (CONTINUED)

REMARKS CONTINUED:

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

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

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE
FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING
PLACES OF USE. W076717-00, W076718-00, W13066-00
X
X
X
X

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

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

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

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

03/31/95
PAGE 2,403

WATER RIGHT NUMBER 400 W-076718-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNESE 08 26N 39E VALLEY DAM

RESERVOIR:

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

RESERVOIR/LAKE NAME: ROAD RESERVOIR

THE DAM EXTENDS INTO NWNESE, SESENE, SEC 8 TWP 26N RGE
39E VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

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

REMARKS:

* C 22

PAGE 2,404

REMARKS CONTINUED:

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

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

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE
FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING
PLACES OF USE. W076717-00, W076718-00, W130647-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59717-0879.

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

03/31/95
PAGE 2,405

WATER RIGHT NUMBER 400-W-076719-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): STOCK

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

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

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

RESERVOIR:

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

PLACE OF USE FOR STOCK:

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

REMARKS:

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

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

03/31/95
PAGE 2,406

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

REMARKS CONTINUED:

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

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

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

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

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

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

03/31/95
PAGE 2,407

WATER RIGHT NUMBER 400-W-076720-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: 12.48 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

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

01 SWNE 09 26N 39E VALLEY DAM

RESERVOIR:

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

01 ONSTREAM SWNE 09 26N 39E VALLEY

PLACE OF USE FOR WILDLIFE:

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

001 SWNE 09 26N 39E VALLEY

REMARKS:

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

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

03/31/95
PAGE 2,408

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

REMARKS CONTINUED:

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

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

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

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

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

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

03/31/95
PAGE 2,409

WATER RIGHT NUMBER 400-W-076721-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): STOCK

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

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

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC TWP RGE COUNTY	MEANS
01	NE34W 06 26N 39E VALLEY	DAM

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01	ONSTREAM NE34W 09 26N 39E VALLEY

RESERVOIR/LAKE NAME: ARCHAMBEAULT DROP RESERVOIR

* PLACE OF USE FOR STOCK:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001		NE34W 09 26N 39E VALLEY

REMARKS:

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

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

03/31/95
PAGE 2,410

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

REMARKS CONTINUED:

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

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

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

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

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

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

03/31/95
PAGE 2,411

WATER RIGHT NUMBER 400-W-076722-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: 4.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

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

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESEW 09 26N 39E VALLEY
RESERVOIR/LAKE NAME: ARCHAMBEAULT DROP RESERVOIR

* PLACE OF USE FOR WILDLIFE:

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

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

* K 22

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

03/31/95
PAGE 2,412

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

REMARKS CONTINUED:

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

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

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

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

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

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

03/31/95
PAGE 2,413

WATER RIGHT NUMBER 400-W-076723-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): STOCK

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

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

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

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSW 11 26N 39E VALLEY DAM

RESERVOIR: QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SWSW 11 26N 39E VALLEY

PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SWSW 11 26N 39E VALLEY

REMARKS:

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

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

03/31/95
PAGE 2,414

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

REMARKS CONTINUED:

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

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

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

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

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

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

03/31/95
PAGE 2,415

WATER RIGHT NUMBER 4003-W-076724-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: .33 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSW 11 26N 39E VALLEY DAM

RESERVOIR:

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

PLACE OF USE FOR WILDLIFE:

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

REMARKS:

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

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

03/31/95
PAGE 2,416

WATER RIGHT NUMBER 400-W-076724-00 (CONTINUED)

REMARKS CONTINUED:

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

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

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

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

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

PRELIMINARY DECREE
RIVER FLOW WATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

2/3/31/95
PAGE 2,417

WATER RIGHT NUMBER 14741-1-075725-00

IMPORTANT NOTICE

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

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

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 3680
BILLINGS MT 59107

PURPOSE: FOR

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

PRIORITY DATE: FEBRUARY 1948
TYPE OF ACQUISITION: RIGHT: USE

ELOW RATES: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS INSTREAM RESERVOIR.

VOLUME: 620 CFS

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT 1 BLK 2 TR SEC 20 TWP 39E COUNTY 1 MEANS
01 S 25 30 13 26N 39E VALLEY DAM

RESERVOIR:

LOT 1 BLK 2 TR SEC 20 TWP 39E COUNTY 1
01 INSTREAM RESERVOIR 13 26N 39E VALLEY
RESERVOIR NAME: MUD CREEK RESERVOIR

PLACE OF DIVERSION:

LOT 1 BLK 2 TR SEC 20 TWP 39E COUNTY 1
001 S 25 30 13 26N 39E VALLEY
002 S 25 30 13 26N 39E VALLEY
003 S 25 30 13 26N 39E VALLEY

RECORDS:

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

03/31/95
PAGE 2,418

WATER RIGHT NUMBER 400 - W-076725-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076725-00, W076726-00

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59717-0879.

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

03/31/95
PAGE 2,419

WATER RIGHT NUMBER 400-W-076726-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): WILDLIFE

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

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

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

VOLUME: 2.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SES	WNW	13	26N	39E	VALLEY	DAM	

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 DNSTREAM	SES	WNW	13	26N	39E	VALLEY

RESERVOIR/LAKE NAME: MUD RUN RESERVOIR

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SW	SE	NW	13	26N	39E VALLEY
002				SW	NW	13	26N	39E VALLEY	
003				NE	NW	SW	13	26N	39E VALLEY

REMARKS:

03/31/95
PAGE 2,420

REMARKS CONTINUED:

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS 2
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 2
2 UNRESOLVED IF NO OBJECTIONS ARE FILED. 2

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY), OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59717-0879.

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

09/31/95
PAGE 2,421

WATER RIGHT NUMBER 4003-W-076727-00

IMPORTANT NOTICE

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

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

PURPOSE (USE): WILDLIFE

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

* PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: 4.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY DEANS
01 SWSWSW 14 26N 39E VALLEY DAM/PIT
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSWSW 14 26N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWSW 14 26N 39E VALLEY

REMARKS:

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

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

03/31/95
PAGE 2,422

WATER RIGHT NUMBER 400-V-076727-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076727-00, W076729-00.

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

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

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

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

03/31/95
PAGE 2,423

WATER RIGHT NUMBER 400-4-076728-00

IMPORTANT NOTICE

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

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

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

PURPOSE (USE): WILDLIFE

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

* PRIORITY DATE: JULY 18, 1966
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: 1.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	SENENE 14 26N 39E VALLEY	DAM

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM	SENENE 14 26N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001	SENENE 14 26N 39E VALLEY

REMARKS:

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

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

03/31/95
PAGE 2,424

WATER RIGHT NUMBER 400-W-076728-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076728-00, W076730-00.

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
3 UNRESOLVED IF NO OBJECTIONS ARE FILED.
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,425

WATER RIGHT NUMBER 400-U-076729-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWSW 14 26N 39E VALLEY DAM/PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSWSW 14 26N 39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWSW 14 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,426

WATER RIGHT NUMBER 400-W-076729-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076727-00, W076729-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,427

WATER RIGHT NUMBER 400-W-076730-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 18, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SENENE 14 26N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SENENE 14 26N 39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SENENE 14 26N 39E VALLEY

BEMDBSS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,428

WATER RIGHT NUMBER 400-W-076730-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076728-00, W076730-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,429

WATER RIGHT NUMBER 400-W-076731-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 95-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 15, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 59.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENWSE 16 26N 39E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENWSE 16 26N 39E VALLEY

SEE THE MONTANA WATER RESOURCES BOARD WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENWSE 16 26N 39E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,430

WATER RIGHT NUMBER 400-W-076731-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076731-00, W076732-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
THE CLAIMED VOLUME MAY BE EXCESSIVE FOR THE CLAIMED
PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,431

WATER RIGHT NUMBER 4001-W-076732-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USED): STOCK

* SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 15, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SENWSE 16 26N 39E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SENWSE 16 26N 39E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SENWSE 16 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,432

WATER RIGHT NUMBER 400-W-076732-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076731-00, W076732-00.

1 THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 1
1 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 1

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR THINGS TO DO (YOUR RIGHT), YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,433

WATER RIGHT NUMBER: 400-W-076733-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 18, 1965
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	QIR SEC	SEC TWP	RGE	COUNTY	MEANS
01	SWSWNE	16 26N	39E	VALLEY	DAM

RESERVOIR:

QIR SEC	SEC TWP	RGE	COUNTY
01	ONSTREAM	SWSWNE	16 26N 39E VALLEY

RESERVOIR/LAKE NAME: ARCHAMBEAULT RETENTION RESERVOIR
CAPACITY: 60.0 AC-FT DAM HEIGHT: 9.5 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE NENESW SEC 16 TWP 26N RGE 39E
VALLEY COUNTY.

PLF E OF USE FOR STOCK:

ACRES	LOT BLK	QIR SEC	SEC TWP	RGE	COUNTY
001		NWSE	16 26N	39E	VALLEY

REMARKS:

* C 24

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,434

WATER RIGHT NUMBER 14001-W-076733-001 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076733-00, W076734-00.

1 THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 1
1 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 1

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59721-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,435

WATER RIGHT NUMBER: 400-W-076734-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 18, 1965
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWNE 16 26N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSWNE 16 26N 39E VALLEY

RESERVOIR/LAKE NAME: ARCHAMBEAULT RETENTION RESERVOIR
CAPACITY: 60.0 AC-FT DAM HEIGHT: 9.5 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE NENESW SEC 16 TWP 26N RGE 39E
VALLEY COUNTY.

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NWSE 16 26N 39E VALLEY

REMARKS:

* E 24

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,436

WATER RIGHT NUMBER 4001-W-076734-001 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076733-00, W076734-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,437

WATER RIGHT NUMBER 400-W-076735-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36000
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 18, 1956
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.80 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNE 16 26N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNE 16 26N 39E VALLEY

EXISTENCE AND LOCATION OF THE CLAIMED RESERVOIR CANNOT
BE CONFIRMED WITH AVAILABLE DATA.

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNE 16 26N 39E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,438

WATER RIGHT NUMBER 400-W-076735-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO76735-00, WO76736-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,439

WATER RIGHT NUMBER 400-W-076736-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 18, 1956
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SWNE 16 26N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWNE 16 26N 39E VALLEY

EXISTENCE AND LOCATION OF THE CLAIMED RESERVOIR CANNOT
BE CONFIRMED WITH AVAILABLE DATA.

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNE 16 26N 39E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,440

WATER RIGHT NUMBER 400-V-076736-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076735-00, W076736-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,441

WATER RIGHT NUMBER 4001-W-076737-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JUNE 30, 1970
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 MENEMW 17 26N 39E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWSTREAM MENEMW 17 26N 39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 MENEMW 17 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

03/31/95
PAGE 2,442

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 400-W-076737-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076737-00, W076738-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,443

WATER RIGHT NUMBER: 400-W-076730-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JUNE 30, 1970
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NENENW 17 26N 39E VALLEY PIT
RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NENENW 17 26N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NENENW 17 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,444

WATER RIGHT NUMBER 400-W-076738-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076737-00, W076738-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
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* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,445

WATER RIGHT NUMBER: 400-W-076739-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON NOTICE OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 13, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NWNEW 18 26N 39E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NWNEW 18 26N 39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NWNEW 18 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,446

WATER RIGHT NUMBER 400-W-076739-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076739-00, W076740-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,447

WATER RIGHT NUMBER 400-W-076740-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 13, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.98 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNESE 18 26N 39E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWNESE 18 26N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNESE 18 26N 39E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,448

WATER RIGHT NUMBER 400 W-076740-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076739-00, W076740-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
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* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,449

WATER RIGHT NUMBER 400-W-076741-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

- * PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED
- * FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY	MEANS
01	NWSEW	19	26N	39E	VALLEY	PIT	

RESERVOIR:

	QTR SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM	NWSEW	19	26N	39E	VALLEY
02 ONSTREAM	NWSEW	19	26N	39E	VALLEY

- * PLACE OF USE FOR STOCK:

	ECRES	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY
001		NWSEW	19	26N	39E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,450

WATER RIGHT NUMBER 400 - W-076741-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076741-00, W076742-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,451

WATER RIGHT NUMBER 400-V-076742-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSEW 19 26N 39E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSEW 19 26N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSEW 19 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,452

WATER RIGHT NUMBER 400-V-076742-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
#076741-00, #076742-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x x x x

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,453

WATER RIGHT NUMBER 400-V-076743-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 04, 1968
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC 1/4 RGE COUNTY ----- MEANS -----

01 SENE 20 26N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC 1/4 RGE COUNTY -----

01 ONSTREAM SENE 20 26N 39E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC 1/4 RGE COUNTY -----

001 SENE 20 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,454

WATER RIGHT NUMBER 400-W-076743-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076743-00, W076744-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,455

WATER RIGHT NUMBER 4003-W-076744-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

DNRC: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 04, 1968
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .76 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SENE 20 26N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SENE 20 26N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SENE 20 26N 39E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,456

WATER RIGHT NUMBER 400-W-076744-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076743-00, W076744-00.

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS 1
1 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 1
1 UNRESOLVED IF NO OBJECTIONS ARE FILED. 1
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1 THERE IS A QUESTION AS TO THE VALIDITY OF THIS 1
1 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE 1
1 AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE 1
1 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE 1
1 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION 1
1 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND 1
1 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." 1
1 1
1 *****

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YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,457

WATER RIGHT NUMBER 400-W-076745-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): IRRIGATION
TYPE OF IRRIGATION SYSTEM: WATER SPREADING

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 02, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE
CONSISTS OF DIRECT FLOW WATER SPREADING.

VOLUME: 2,343.00 AF
CLIMATIC AREA: 2

MAXIMUM ACRES: 1,562.00

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01						SENW	16 26N 39E	VALLEY	DIVERSION DAM
02						SWSW	21 26N 39E	VALLEY	DIVERSION DAM
03						NESWN	29 26N 39E	VALLEY	DIVERSION DAM

* PLACE OF USE FOR IRRIGATION:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001	38.00					E2E2	08 26N 39E	VALLEY	
002	365.00						09 26N 39E	VALLEY	
003	10.00					W2NWSW	10 26N 39E	VALLEY	
004	245.78						16 26N 39E	VALLEY	
005	446.31						17 26N 39E	VALLEY	
006	395.00						20 26N 39E	VALLEY	
007	24.00					SWSW	21 26N 39E	VALLEY	
008	2.50					W2NWSW	28 26N 39E	VALLEY	
009	22.91						29 26N 39E	VALLEY	
TOTAL	1,562.00								

* L 25

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,458

WATER RIGHT NUMBER 400-W-076745-00 (CONTINUED)

REMARKS CONTINUED:

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,459

WATER RIGHT NUMBER 400-W-076746-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 07, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 9.40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNW 29 26N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNW 29 26N 39E VALLEY

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNW 29 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,460

WATER RIGHT NUMBER 400-W-076746-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076746-00, W076747-00.

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS 1
1 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 1
1 UNRESOLVED IF NO OBJECTIONS ARE FILED. 1
1 1
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1 THERE IS A QUESTION AS TO THE VALIDITY OF THIS 1
1 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE 1
1 AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE 1
1 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE 1
1 THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION 1
1 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND 1
1 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." 1
1 1
1 *****

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YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,461

WATER RIGHT NUMBER 4001-W-076747-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36000
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 07, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY BEANS
01 SWW 29 26N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWW 29 26N 39E VALLEY

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWW 29 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,462

WATER RIGHT NUMBER 400-U-076747-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076746-00, W076747-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,463

WATER RIGHT NUMBER: 400-4-076748-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 04, 1968
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENWNW 29 26N 39E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM NENWNW 29 26N 39E VALLEY
THE PIT EXTENDS INTO THE SE6SW SEC 20 TWP 26N RGE 39E
VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SE6SW 20 26N 39E VALLEY
002 NENWNW 29 26N 39E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,464

WATER RIGHT NUMBER 400-W-076748-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076748-00, W076749-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,485

WATER RIGHT NUMBER 400-1-076749-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 04, 1968
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .76 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENNW 29 26N 39E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENNW 29 26N 39E VALLEY

THE PIT EXTENDS INTO THE SESWSW SEC 20 TWP 26N RGE 39E
VALLEY COUNTY.

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESWSW 20 26N 39E VALLEY
002 NENNW 29 26N 39E VALLEY

REMARKS:

03/31/95
PAGE 2,466

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076748-00. W076749-00.

 * THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
 * EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
 * UNRESOLVED IF NO OBJECTIONS ARE FILED. *

1 THERE IS A QUESTION AS TO THE VALIDITY OF THIS
2 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
3 AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
4 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
5 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
6 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
7 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,467

WATER RIGHT NUMBER 400-V-076750-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 26, 1945
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNE 29 26N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNE 29 26N 39E VALLEY

RESERVOIR/LAKE NAME: WILLOW CREEK FLAT RESERVOIR

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNE 29 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

* G 26

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,468

WATER RIGHT NUMBER 400-W-076750-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076750-00, W076751-00.

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS 1
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 2
3 UNRESOLVED IF NO OBJECTIONS ARE FILED. 3
4 4
5 5
6 6
7 THERE IS A QUESTION AS TO THE VALIDITY OF THIS 7
8 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE 8
9 AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE 9
10 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE 10
11 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION 11
12 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND 12
13 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." 13
14 14
15 *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,469

WATER RIGHT NUMBER: 400-V-076751-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 26, 1945
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNE 29 26N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNE 29 26N 39E VALLEY
RESERVOIR/LAKE NAME: WILLOW CREEK FLAT RESERVOIR

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNE 29 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,470

WATER RIGHT NUMBER 400-V-076751-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076750-00, W076751-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT
TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,471

WATER RIGHT NUMBER 400-W-076752-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1972
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENW 30 26N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENW 30 26N 39E VALLEY

PLACE OF USE FOR WILDLIFE:

ACRES LOI BLK QTR SEC SEC TWP RGE COUNTY
001 SENW 30 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,472

WATER RIGHT NUMBER: 400-W-076752-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076752-00, W076754-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,473

WATER RIGHT NUMBER 4001-W-076753-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

PRIORITY DATE: SEPTEMBER 26, 1969
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 14.99 GPM (.03 CFS)

* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

01 NESE 29 26N 39E VALLEY

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NESE 29 26N 39E VALLEY

REMARKS:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT
ON 06/16/92: POINT OF DIVERSION, PLACE OF USE,
PRIORITY DATE.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,474

WATER RIGHT NUMBER 400-W-076753-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076753-00, W076755-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE POINT OF DIVERSION AND PLACE OF USE LEGAL LAND *
* DESCRIPTION COULD NOT BE REFINED TO A 10 ACRE *
* DESCRIPTION FROM INFORMATION IN THE FILE. *
* * * * *
* THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS *
* REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED *
* TO SUPPORT THIS CLAIM. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,475

WATER RIGHT NUMBER 400-W-076754-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1972
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SE	NW	30	26N	39E	VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM			SE	NW	30	26N 39E VALLEY

PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SE	NW	30	26N 39E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,476

WATER RIGHT NUMBER 400 - W-076754-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076752-00, W076754-00.

: THE DMC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,477

WATER RIGHT NUMBER: 400-W-076755-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS NT 59107

PURPOSE (USE): WILDLIFE

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

PRIORITY DATE: SEPTEMBER 26, 1969
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 14.99 GPM (.03 CFS)

VOLUME: 23.80 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NESE 29 26N 39E VALLEY

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESE 29 26N 39E VALLEY

REMARKS:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT
ON 06/16/92: POINT OF DIVERSION, PLACE OF USE,
PRIORITY DATE.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,478

WATER RIGHT NUMBER 400-W-076755-00 (CONTINUED)

REMARKS CONTINUED:

W076753-00, W076755-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
x UNRESOLVED IF NO OBJECTIONS ARE FILED.
x
x

x THE POINT OF DIVERSION AND PLACE OF USE LEGAL LAND
x DESCRIPTION COULD NOT BE REFINED TO A 10 ACRE
x DESCRIPTION FROM INFORMATION IN THE FILE.
x

x THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS
x REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED
x TO SUPPORT THIS CLAIM.
x

x THERE IS A QUESTION AS TO THE VALIDITY OF THIS
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
x

x VOLUME MAY BE EXCESSIVE. BASED ON THE FLOW RATE AND
x PERIOD OF USE, THE SYSTEM WOULD HAVE TO RUN 23.6
x HOURS PER DAY TO DELIVER THE CLAIMED VOLUME. NO
x INFORMATION EXISTS IN THE CLAIM FILE TO CONFIRM THIS
x FIGURE.
x
x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 873, BOZEMAN MT 59711-0873.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,479

WATER RIGHT NUMBER 14001-W-076756-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 30, 1970
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSESW 30 26N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSESW 30 26N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSESW 30 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,480

WATER RIGHT NUMBER 400-1-V-076756-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076756-00, W076757-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,481

WATER RIGHT NUMBER 14001-W-076757-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JUNE 30, 1970
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LDI	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01									

RESERVOIR:

	DIR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM					

* PLACE OF USE FOR STOCK:

	ACRES	LDI	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY
001									

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,482

WATER RIGHT NUMBER 400-U-076757-00 (CONTINUED)

REMARKS CONTINUED :

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076756-00, W076757-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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P-O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,483

WATER RIGHT NUMBER 4002-V-076758-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGED FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESWSW 32 26N 39E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESWSW 32 26N 39E VALLEY
RESERVOIR/LAKE NAME: AGNES RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESWSW 32 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

* H 27

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,484

WATER RIGHT NUMBER 4003-W-076758-003 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076758-00, W076759-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59717-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,485

WATER RIGHT NUMBER 400-V-076759-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NESWSW	32	26N	39E	VALLEY		PIT

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	NESWSW	32	26N	39E	VALLEY

RESERVOIR/LAKE NAME: AGNES RESERVOIR

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			NESWSW	32	26N	39E	VALLEY		

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,486

WATER RIGHT NUMBER 4001-W-076759-001 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076759-00, W076759-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,487

WATER RIGHT NUMBER 400-V-076760-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN QUESTION BY THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800 MT 59107
BILLINGS

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 20, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		NWS	17	26N	40E	VALLEY	DAM	

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		DWSTREAM	NWS	17	26N	40E	VALLEY

PLACE OF USE FOR STOCKS:

BLKES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			NWS	17	26N	40E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,488

WATER RIGHT NUMBER 400-W-076760-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076760-00, W076761-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,489

WATER RIGHT NUMBER: 400-W-076761-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 20, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY DEANS

01 NWSW 17 26N 40E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NWSW 17 26N 40E VALLEY

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NWSW 17 26N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,490

WATER RIGHT NUMBER 400-W-076761-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSES) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076760-00, W076761-00.

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
3 UNRESOLVED IF NO OBJECTIONS ARE FILED.
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11 THERE IS A QUESTION AS TO THE VALIDITY OF THIS
12 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
13 AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE
14 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
15 THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION
16 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
17 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
18
19
20

21 A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
22 YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIOR
23 FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE
24 SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT
25 TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
26 TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

27 COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS
28 CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
29 "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

30 SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
31 YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
32 DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
33 AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
34 PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
35 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
36 P.O. BOX 679, BOZEMAN, MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,491

WATER RIGHT NUMBER 4001-W-076762-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 19, 1942
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

VOLUME: 10.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENE 02 27N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENE 02 27N 35E VALLEY

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENE 02 27N 35E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,492

WATER RIGHT NUMBER 400-W-076762-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076762-00, W076763-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,493

WATER RIGHT NUMBER 400-W-076763-00

IMPORTANT NOTICE

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 19, 1942
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENW 02 27N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENW 02 27N 35E VALLEY

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENW 02 27N 35E VALLEY

REMARKS:

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MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,494

WATER RIGHT NUMBER 400-V-076763-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076762-00, W076763-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,495

WATER RIGHT NUMBER 400-W-076764-00

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 21, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESESW 10 27N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESESW 10 27N 35E VALLEY
RESERVOIR/LAKE NAME: SOMERS RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESESW 10 27N 35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,496

WATER RIGHT NUMBER 400-W-076764-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076764-00, W076765-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,497

WATER RIGHT NUMBER 400-W-076765-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 21, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----

01 NESESW 10 27N 35E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM NESESW 10 27N 35E VALLEY

RESERVOIR/LAKE NAME: SOMERS RESERVOIR

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NESESW 10 27N 35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,498

WATER RIGHT NUMBER 400-W-076765-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076764-00, W076765-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,499

WATER RIGHT NUMBER 400-W-076766-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1948
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 5.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 NENWNE 15 27N 35E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM NENWNE 15 27N 35E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SESWSE 10 27N 35E VALLEY
002 NENWNE 15 27N 35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95
PAGE 2,500

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
MO76766-00, MO76767-00.

 1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE ONRC DURING ITS
 2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
 3 UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1986) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED, "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-596-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59717-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,501

WATER RIGHT NUMBER 400-W-0767-00

IMPORTANT NOTICE

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OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1948
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NEWNE	15	27N	35E	VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM			NEWNE	15	27N	35E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SESWSE	10	27N	35E	VALLEY	
002				NEWNE	15	27N	35E	VALLEY	

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN "00"
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,502

WATER RIGHT NUMBER 400-W-0767-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
WO76766-00, WO76767-00.

1 THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 1
2 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 2

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P.O. BOX 879, BOZEMAN MT 59771-0879.

WATER RIGHT NO.

WATER RIGHT NO.

WATER RIGHT NO.

076561	A 01	076586	J 04	076613	D 08
076561	B 01	076587	K 04	076614	E 08
076562	C 01	076588	L 04	076614	F 08
076562	D 01	076588	M 04	076615	G 08
076563	E 01	076588	N 04	076615	H 08
076563	F 01	076589	O 04	076616	I 08
076564	G 01	076589	A 05	076616	J 08
076564	H 01	076590	B 05	076617	K 08
076565	I 01	076590	C 05	076617	L 08
076565	J 01	076591	D 05	076618	M 08
076566	K 01	076591	E 05	076618	N 08
076566	L 01	076592	F 05	076619	O 08
076567	M 01	076592	G 05	076619	A 09
076567	N 01	076593	H 05	076620	B 09
076568	O 01	076593	I 05	076620	C 09
076568	A 02	076594	J 05	076621	D 09
076569	B 02	076594	K 05	076621	E 09
076569	C 02	076595	L 05	076622	F 09
076570	D 02	076595	M 05	076622	G 09
076570	E 02	076596	N 05	076623	H 09
076571	F 02	076596	O 05	076623	I 09
076571	G 02	076597	A 06	076624	J 09
076572	H 02	076597	B 06	076624	K 09
076572	I 02	076598	C 06	076625	L 09
076573	J 02	076598	D 06	076625	M 09
076573	K 02	076599	E 06	076626	N 09
076574	L 02	076599	F 06	076626	O 09
076574	M 02	076600	G 06	076627	A 10
076575	N 02	076600	H 06	076627	B 10
076575	O 02	076601	I 06	076628	C 10
076576	A 03	076601	J 06	076628	D 10
076576	B 03	076602	K 06	076629	E 10
076577	C 03	076602	L 06	076629	F 10
076577	D 03	076603	M 06	076630	G 10
076578	E 03	076603	N 06	076630	H 10
076578	F 03	076604	O 06	076631	I 10
076579	G 03	076604	A 07	076631	J 10
076579	H 03	076605	B 07	076632	K 10
076579	I 03	076605	C 07	076632	L 10
076579	J 03	076606	D 07	076633	M 10
076580	K 03	076606	E 07	076633	N 10
076580	L 03	076607	F 07	076634	O 10
076580	M 03	076607	G 07	076634	A 11
076581	N 03	076608	H 07	076635	B 11
076581	O 03	076608	I 07	076635	C 11
076582	A 04	076609	J 07	076636	D 11
076582	B 04	076609	K 07	076636	E 11
076583	C 04	076610	L 07	076637	F 11
076583	D 04	076610	M 07	076637	G 11
076584	E 04	076611	N 07	076638	H 11
076584	F 04	076611	O 07	076638	I 11
076585	G 04	076612	A 08	076639	J 11
076585	H 04	076612	B 08	076639	K 11
076586	I 04	076613	C 08	076640	L 11

JSEQ=0006 BSEQ=0006 J5706021

WATER RIGHT NO.

WATER RIGHT NO.

WATER RIGHT NO.

076640	M 11	076667	G 15	076694	A 19
076641	N 11	076668	H 15	076695	B 19
076641	O 11	076668	I 15	076695	C 19
076642	A 12	076669	J 15	076696	D 19
076642	B 12	076669	K 15	076696	E 19
076643	C 12	076670	L 15	076697	F 19
076643	D 12	076670	M 15	076697	G 19
076644	E 12	076671	N 15	076698	H 19
076644	F 12	076671	O 15	076698	I 19
076645	G 12	076672	A 16	076699	J 19
076645	H 12	076672	B 16	076699	K 19
076646	I 12	076673	C 16	076700	L 19
076646	J 12	076673	D 16	076700	M 19
076647	K 12	076674	E 16	076701	N 19
076647	L 12	076674	F 16	076701	O 19
076648	M 12	076675	G 16	076702	A 20
076648	N 12	076675	H 16	076702	B 20
076649	O 12	076676	I 16	076703	C 20
076649	A 13	076676	J 16	076703	D 20
076650	B 13	076677	K 16	076704	E 20
076650	C 13	076677	L 16	076704	F 20
076651	D 13	076678	M 16	076705	G 20
076651	E 13	076678	N 16	076705	H 20
076652	F 13	076679	O 16	076706	I 20
076652	G 13	076679	A 17	076706	J 20
076653	H 13	076680	B 17	076707	K 20
076653	I 13	076680	C 17	076707	L 20
076654	J 13	076681	D 17	076708	M 20
076654	K 13	076681	E 17	076708	N 20
076655	L 13	076682	F 17	076709	O 20
076655	M 13	076682	G 17	076709	A 21
076656	N 13	076683	H 17	076710	B 21
076656	O 13	076683	I 17	076710	C 21
076657	A 14	076684	J 17	076711	D 21
076657	B 14	076684	K 17	076711	E 21
076658	C 14	076685	L 17	076712	F 21
076658	D 14	076685	M 17	076712	G 21
076659	E 14	076686	N 17	076713	H 21
076659	F 14	076686	O 17	076713	I 21
076660	G 14	076687	A 18	076714	J 21
076660	H 14	076687	B 18	076714	K 21
076661	I 14	076688	C 18	076715	L 21
076661	J 14	076688	D 18	076715	M 21
076662	K 14	076689	E 18	076716	N 21
076662	L 14	076689	F 18	076716	O 21
076663	M 14	076690	G 18	076717	A 22
076663	N 14	076690	H 18	076717	B 22
076664	O 14	076691	I 18	076718	C 22
076664	A 15	076691	J 18	076718	D 22
076665	B 15	076692	K 18	076719	E 22
076665	C 15	076692	L 18	076719	F 22
076666	D 15	076693	M 18	076720	G 22
076666	E 15	076693	N 18	076720	H 22
076667	F 15	076694	O 18	076721	I 22

JSEQ=0006 BSEQ=0006 J5706021

WATER RIGHT NO.

WATER RIGHT NO.

WATER RIGHT NO.

076721	J 22	076748	D 26
076722	K 22	076749	E 26
076722	L 22	076749	F 26
076723	M 22	076750	G 26
076723	N 22	076750	H 26
076724	O 22	076751	I 26
076724	A 23	076751	J 26
076725	B 23	076752	K 26
076725	C 23	076752	L 26
076726	D 23	076753	M 26
076726	E 23	076753	N 26
076727	F 23	076754	O 26
076727	G 23	076754	A 27
076728	H 23	076755	B 27
076728	I 23	076755	C 27
076729	J 23	076756	D 27
076729	K 23	076756	E 27
076730	L 23	076757	F 27
076730	M 23	076757	G 27
076731	N 23	076758	H 27
076731	O 23	076758	I 27
076732	A 24	076759	J 27
076732	B 24	076759	K 27
076733	C 24	076760	L 27
076733	D 24	076760	M 27
076734	E 24	076761	N 27
076734	F 24	076761	O 27
076735	G 24	076762	A 28
076735	H 24	076762	B 28
076736	I 24	076763	C 28
076736	J 24	076763	D 28
076737	K 24	076764	E 28
076737	L 24	076764	F 28
076738	M 24	076765	G 28
076738	N 24	076765	H 28
076739	D 24	076766	I 28
076739	A 25	076766	J 28
076740	B 25	076767	K 28
076740	C 25	076767	L 28
076741	D 25		
076741	E 25		
076742	F 25		
076742	G 25		
076743	H 25		
076743	I 25		
076744	J 25		
076744	K 25		
076745	L 25		
076745	M 25		
076746	N 25		
076746	O 25		
076747	A 26		
076747	B 26		
076748	C 26		

JSEQ=0006 BSEQ=0006 J5706021

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,503

WATER RIGHT NUMBER: 4001-W-076768-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36300
BILLINGS MT 59107

PURPOSE (USE): STOCK

- * SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 23, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION/LAND MEANS OF DIVERSION:

----- LOT, BLK, QTR, SEC, TWP, RGE, COUNTY ----- MEANS -----

01 NESWNW 11 27N 35E VALLEY PIT

RESERVOIR:

----- QTR, SEC, TWP, RGE, COUNTY -----

01 DOWNSTREAM NESWNW 11 27N 35E VALLEY

- * PLACE OF USE FOR STOCK:

----- ACRES ----- LOT, BLK, QTR, SEC, TWP, RGE, COUNTY -----

001 NESWNW 11 27N 35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* A 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400

03/31/55
PAGE 2,504

ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 4002-W-076768-002 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076768-00, W076769-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,505

WATER RIGHT NUMBER 400-W-076769-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 23, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		NESWNW	11	27N	35E	VALLEY		PIT

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		ONSTREAM		NESWNW	11	27N	35E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			NESWNW	11	27N	35E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,506

WATER RIGHT NUMBER W-076769-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076769-00, W076769-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,507

WATER RIGHT NUMBER: 400-W-076770-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTION MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 05, 1938
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 N2SENE 12 27N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWNSTREAM N2SENE 12 27N 35E VALLEY

RESERVOIR/LAKE NAME: BADGER RESERVOIR
CAPACITY: 217.0 AC-FT DAM HEIGHT: 17 FT SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NE 12 27N 35E VALLEY

REMARKS:

* E 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,508

WATER RIGHT NUMBER 400-W-076770-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076770-00, W076771-00, W076772-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x x x
x THE PRIORITY DATE IS QUESTIONABLE. THE VALLEY COUNTY x
x WATER RESOURCES SURVEY (1958) IDENTIFIES THE PRIORITY x
x DATE AS 1968. x
x x x x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,509

WATER RIGHT NUMBER 400-4-076771-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 05, 1938
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 217.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 N2SENE 12 27N 35E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM N2SENE 12 27N 35E VALLEY

RESERVOIR/LAKE NAME: BADGER RESERVOIR

CAPACITY: 217.0 AC-FT DAM HEIGHT: 17 FT SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR FLOOD CONTROL:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NE 12 27N 35E VALLEY

REMARKS:

* G 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,510

WATER RIGHT NUMBER 400-W-076771-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076770-00, W076771-00, W076772-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THE PRIORITY DATE IS QUESTIONABLE. THE MONTANA WATER *
* RESOURCES BOARD DAM INVENTORY WORKSHEET IDENTIFIES THE *
* PRIORITY DATE AS 1958. *
* *
* THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NONCONSUMPTIVE. *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,511

WATER RIGHT NUMBER 4003-W-076772-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 05, 1938
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 12.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 N2SENE 12 27N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM N2SENE 12 27N 35E VALLEY

RESERVOIR/LAKE NAME: BADGER RESERVOIR

CAPACITY: 217.0 AC-FT DAM HEIGHT: 17 FT SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NE 12 27N 35E VALLEY

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,512

WATER<RIGHT#NUMBER#400#-W-076772-00#(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076770-00, W076771-00, W076772-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE PRIORITY DATE IS QUESTIONABLE. THE MONTANA WATER *
* RESOURCES BOARD DRAIN INVENTORY WORKSHEET IDENTIFIES THE *
* PRIORITY DATE AS 1958. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE DEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-596-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,513

WATER RIGHT NUMBER 400-W-076773-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: MARCH 12, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 N2SWSW 12 27N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM N2SWSW 12 27N 35E VALLEY

RESERVOIR/LAKE NAME: MAKEE DETENTION RESERVOIR
CAPACITY: 55.6 AC-FT DAM HEIGHT: 20 FT SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 N2SWSW 12 27N 35E VALLEY

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,514

WATER RIGHT NUMBER 400-U-076773-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076773-00, W076774-00, W076775-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,515

WATER RIGHT NUMBER 400-W-076774-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: MARCH 12, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 42.96 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 N25WSW 12 27N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWNSTREAM N25WSW 12 27N 35E VALLEY

RESERVOIR/LAKE NAME: MAKEE DETENTION RESERVOIR

CAPACITY: 55.6 AC-FT DAM HEIGHT: 20 FT SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR FLOOD CONTROL:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 N25WSW 12 27N 35E VALLEY

REMARKS:

* M 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,516

WATER RIGHT NUMBER 400-V-076774-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076773-00, W076774-00, W076775-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THIS CLAIMED PURPOSE IS QUESTIONED : O.A. BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* * * * *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NON-CONSUMPTIVE. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4264, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,517

WATER RIGHT NUMBER 400-W-076775-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: MARCH 12, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 12.68 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVISION:

----- LOT BLK Q18 SEC SEC TWP RGE COUNTY MEANS -----
01 NESWSW 12 27N 35E VALLEY DAM

RESERVOIR:

----- Q18 SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NESWSW 12 27N 35E VALLEY

RESERVOIR LAKE NAME: MAKEE DETENTION RESERVOIR
CAPACITY: 55.6 AC-FT DAM HEIGHT: 20 FT SURFACE AREA: 60 ACES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK Q18 SEC SEC TWP RGE COUNTY -----
001 NESWSW 12 27N 35E VALLEY

REMARKS:

* 0 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,518

WATER RIGHT NUMBER: 400-1-W-076775-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076775-00, W076774-00, W076775-00.

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
3 UNRESOLVED IF NO OBJECTIONS ARE FILED. x
4 x x
5 x x
6 x x
7 THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
8 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
9 AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE x
10 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
11 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
12 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
13 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
14 x x
15 *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,519

WATER RIGHT NUMBER 400-V-076776-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 25, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	SENESEW 22 27N 35E VALLEY	PIT

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM	SENESEW 22 27N 35E VALLEY

RESERVOIR/LAKE NAME: SPOTPIN RETENTION RESERVOIR

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001		SENESEW 22 27N 35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

* B 02

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,520

WATER RIGHT NUMBER: 400-W-076776-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076776-00, W076777-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

* C 02

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,521

WATER RIGHT NUMBER 400-1-075777-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 25, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SENEW	22	27N	35E	VALLEY	PIT

RESERVOIR:

	QTR SEC	SEC	TWP	RGE	COUNTY
01 DNSTREAM	SENEW	22	27N	35E	VALLEY

RESERVOIR/LAKE NAME: SPOTPIN RETENTION RESERVOIR

* PLACE OF USE FOR STOCK:

	BLK	LOT	BLK	QTR SEC	SEC	TWP	RGE	COUNTY
001				SENEW	22	27N	35E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,522

WATER RIGHT NUMBER 400-V-076777-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076776-00, W076777-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
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PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,523

WATER RIGHT NUMBER 4001-V-076778-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 03, 1952
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWSTREAM RESERVOIR.

VOLUME: 9.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 W2NWSE 24 27N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWSTREAM W2NWSE 24 27N 35E VALLEY

RESERVOIR/LAKE NAME: NW BURNETT DETENTION RESERVOIR
CAPACITY: 110.0 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 50.00 ACRES

THE DAM EXTENDS INTO THE SENESW SEC 24 TWP 27N RGE 35E
VALLEY COUNTY.

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 W2NWSE 24 27N 35E VALLEY
002 NEW 24 27N 35E VALLEY

03/31/95
PAGE 2,524

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400 W-076778-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076778-00, W076779-00, W076780-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE *
* FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING *
* PLACES OF USE. W076778-00, W076779-00, W076780-00, *
* W170672-00. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,525

WATER RIGHT NUMBER: 400-1-W-076779-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 03, 1952
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 100.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

_____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____ MEANS _____
01 WNWSE 24 27N 35E VALLEY DAM
RESERVOIR:

_____ QTR SEC SEC TWP RGE COUNTY _____
01 ONSTREAM WNWSE 24 27N 35E VALLEY
RESERVOIR/LAKE NAME: MW BURNETT DETENTION RESERVOIR
CAPACITY: _____ 110.0 AC-FT DAM HEIGHT: _____ 10 FT SURFACE AREA: _____ 50.00 ACRES
THE DAM EXTENDS INTO THE SEENSW SEC 24 TWP 27N RGE 35E
VALLEY COUNTY.

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR FLOOD CONTROL:

_____ ACRES _____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____
001 WNWSE 24 27N 35E VALLEY
002 NEW 24 27N 35E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN #06
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,526

WATER RIGHT NUMBER 4002-W-076779-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076778-00, W076779-00, W076780-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE X
X FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING X
X PLACES OF USE. W076778-00, W076779-00, W076780-00, X
X W170672-00. X
X X
X THIS CLAIMED PURPOSE IS QUESTIONED AS A NEFICIAL X
X USE OF WATER EXISTING PRIOR TO JULY 1, 1973. X
X X
X THE USE OF THIS WATER APPEARS TO BE LARGELY X
X NON-CONSUMPTIVE. X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,527

WATER RIGHT NUMBER 400-W-076780-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 03, 1952
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 W2NWSE 24 27N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM W2NWSE 24 27N 35E VALLEY

RESERVOIR/LAKE NAME: MW BURNETT DETENTION RESERVOIR
CAPACITY: 110.0 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 50.00 ACRES

THE DAM EXTENDS INTO THE SESESW SEC 24 TWP 27N RGE 35E
VALLEY COUNTY.

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 W2NWSE 24 27N 35E VALLEY
002 ME 24 27N 35E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,528

WATER RIGHT NUMBER 400-W-076780-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076778-00, W076779-00, W076780-00.

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* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE *
* FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING *
* PLACES OF USE. W076778-00, W076779-00, W076780-00, *
* W170672-00. *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

* K 02

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,529

WATER RIGHT NUMBER: 400-W-076781-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): IRRIGATION
TYPE OF IRRIGATION SYSTEM: WATER SPREADING

* SOURCE: LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

POINT OF DIVERSION NO. 2 IS ON AN UNNAMED TRIBUTARY
OF LONE TREE CREEK, NORTH FORK.

PRIORITY DATE: DECEMBER 11, 1964
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE
CONSISTS OF DIRECT FLOW WATER SPREADING.

VOLUME: 1,815.00 AF
CLIMATIC AREA: 2

MAXIMUM ACRES: 1,210.00

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QIB	SEC	SEC	TWP	RGE	COUNTY	MEANS
01									
02									

DIVERSION DAM NO. 1 EXTENDS INTO N26SE SEC 26 TWP 27N
R35E VALLEY COUNTY
DIVERSION DAM NO. 2 EXTENDS INTO S24E SEC 24 TWP 27N
R35E VALLEY COUNTY.

* PLACE OF USE FOR IRRIGATION:

	ACRES	LOT	BLK	QIB	SEC	SEC	TWP	RGE	COUNTY
001	110.00								
002	380.00								
003	165.00								

SE	24	27N	35E	VALLEY
	25	27N	35E	VALLEY
	19	27N	35E	VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,530

WATER RIGHT NUMBER 400 V-076781-00 (CONTINUED)

PLACE OF USE CONTINUED:

004	150.00	N2	29	27N	36E	VALLEY
005	905.00		30	27N	36E	VALLEY
TOTAL	1,055.00					

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* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THIS CLAIM APPEARS TO BE CLAIMING TWO SEPARATE *
* SOURCES OF WATER. MORE THAN ONE WATER RIGHT MAY BE *
* INVOLVED. *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,531

WATER RIGHT NUMBER 400-W-076782-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 20, 1952
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWSTREAM RESERVOIR.

VOLUME: 200.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 W2NWSW 25 27N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 DOWSTREAM W2NWSW 25 27N 35E VALLEY

RESERVOIR/LAKE NAME: SW BURNETT DETENTION RESERVOIR
CAPACITY: 148.8 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 24.80 ACRES

THE DAM EXTENDS INTO THE NESESE SEC 26 TWP 27N RGE 35E
VALLEY COUNTY.

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN
ESTIMATED BY THE DNRC.

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR FLOOD CONTROL:

* N 02

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,532

WATER RIGHT NUMBER 400-W-076782-00 (CONTINUED)

PLACE OF USE CONTINUED:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 E2SE 26 27N 35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076782-00, W076783-00, W076784-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* * * * *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NON-CONSUMPTIVE. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,533

WATER RIGHT NUMBER 4001-W-076783-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR RENEDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 20, 1952
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 13.31 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 W2NWSW 25 27N 35E VALLEY DAM
RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM W2NWSW 25 27N 35E VALLEY

RESERVOIR/LAKE NAME: SW BURNETT DETENTION RESERVOIR
CAPACITY: 148.8 AC-FT DAM HEIGHT: 10.11 SURFACE AREA: 24.80 ACRES

THE DAM EXTENDS INTO THE NESESE SEC 26 TWP 27N RGE 35E
VALLEY COUNTY.

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN
ESTIMATED BY THE DNRC.

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR WILDLIFE:

* A 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,534

WATER RIGHT NUMBER 400 W-076783-00 (CONTINUED)

PLACE OF USE CONTINUED:

ACRES LQ1 BLK QTR SEC SEC TWP RGE COUNTY
001 E2SE 26 27N 35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076782-00, W076783-00, W076784-00.

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* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1908) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANCES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,535

WATER RIGHT NUMBER: 400-W-076784-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 20, 1952
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			W2N	WSW	25	27N	35E	VALLEY DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM		W2N	WSW	25	27N 35E VALLEY

RESERVOIR/LAKE NAME: SW BURNETT DETENTION RESERVOIR
CAPACITY: 198.8 AC-FT DAM HEIGHT: FT SURFACE AREA: 24.80 ACRES

THE DAM EXTENDS INTO THE NESESE SEC 26 TWP 27N RGE 35E
VALLEY COUNTY.

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN
ESTIMATED BY THE DNRC.

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR STOCK:

* C 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,536

WATER RIGHT NUMBER 400-W-076784-00 (CONTINUED)

PLACE OF USE CONTINUED:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				E2SE	26	27N	35E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076782-00, W076783-00, W076784-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

* D 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,537

WATER RIGHT NUMBER 400-W-076785-00

IMPORTANT NOTICE

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 26, 1952
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NE	ESW	26	27N	35E	VALLEY DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
01			NE	ESW	26	27N	35E	VALLEY

CAPACITY: 11.2 AC-FT DAM HEIGHT: 8 FT SURFACE AREA: 3.50 ACRES
THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN
ESTIMATED BY THE DNRC.

PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SE	SW	26	27N	35E	VALLEY

REMARKS:

* E 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,538

WATER RIGHT NUMBER 400-W-076785-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076785-00, W076786-00, W076787-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE *
* FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING *
* PLACES OF USE. W076785-00, W076786-00, W076787-00, *
* W170741-00. *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

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FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
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P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,539

WATER RIGHT NUMBER 4002-W-076786-00

IMPORTANT NOTICE

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 26, 1952
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NESEW 26 27N 35E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NESEW 26 27N 35E VALLEY
CAPACITY: 11.2 AC-EI DAM HEIGHT: 8.5' SURFACE AREA: 3.50 ACRES

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN
ESTIMATED BY THE DNRC.

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SESEW 26 27N 35E VALLEY

REMARKS:

* G 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,540

WATER RIGHT NUMBER 400g-W-076786-00g (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076785-00, W076786-00, W076787-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE x
x FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING x
x PLACES OF USE. W076785-00, W076786-00, W076787-00, x
x W170741-00. x
x x
x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 679, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,541

WATER RIGHT NUMBER 400g-W-076787-00

IMPORTANT NOTICE

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 26, 1952
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 10.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 NESEW 26 27N 35E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM NESEW 26 27N 35E VALLEY
CAPACITY: 11.2 AC-FT DAM HEIGHT: 8.5 FT SURFACE AREA: 3.50 ACRES

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN
ESTIMATED BY THE DNRC.

PLACE OF USE FOR FLOOD CONTROL:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SEW 26 27N 35E VALLEY

REMARKS:

* I 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,542

WATER RIGHT NUMBER 400-W-076787-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076785-00, W076786-00, W076787-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE *
* FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING *
* PLACES OF USE. W076785-00, W076786-00, W076787-00, *
* W170741-00. *
* * * * *
* THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* * * * *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NON-CONSUMPTIVE. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
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PRELIMINARY DECREE
MILK RIVER BELOW WHITETATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,543

WATER RIGHT NUMBER 400-W-076788-00

IMPORTANT NOTICE

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 16, 1960
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		NWSW	28	27N	35E	VALLEY	DAM	

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM		NWSW	28	27N	35E	VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			NWSW	28	27N	35E	VALLEY	
002			NESEW	28	27N	35E	VALLEY	

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

* K 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,544

WATER:RIGHT:NUMBER:400:W-076788-00:(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076788-00, W076789-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE *
* FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING *
* PLACES OF USE. W076788-00, W076789-00, W170600-00. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BERN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING FORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,545

WATER RIGHT NUMBER: 400; W-076789-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 16, 1960
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NWSWE	28	27N	35E	VALLEY		DAM

RESERVOIR:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM			NWSWE	28	27N	35E	VALLEY	

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				NWSWE	28	27N	35E	VALLEY	
002				NESES	28	27N	35E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,546

WATER RIGHT NUMBER W-076789-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076788-00, W076789-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
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* *
* THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE *
* FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING *
* PLACES OF USE. W076788-00, W076789-00, W170600-00. *
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,547

WATER RIGHT NUMBER 400-W-076790-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.50 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENE 34 27N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENE 34 27N 35E VALLEY

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENE 34 27N 35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PURCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03-31/95
PAGE 2,548

WATER RIGHT NUMBER 4001-W-076790-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES
W076790-00, W076791-00.

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
3 UNRESOLVED IF NO OBJECTIONS ARE FILED.
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 400-1-076751-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SENE	34	27N	35E	VALLEY		DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM			SENE	34	27N 35E VALLEY

PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SENE	34	27N	35E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

* B 04

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REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076790-00. W076791-00.

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*****  
# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS  
# EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN  
# UNRESOLVED IF NO OBJECTIONS ARE FILED.  
#  
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#  
# USDA AERIAL PHOTOGRAPH NO. 179-190, DATED 08/17/79,  
# SHOWS NO EVIDENCE OF A RESERVOIR AT THE CLAIMED PLACE  
# OF USE.  
#  
# CLAIMED PURPOSE OF USE COULD NOT BE IDENTIFIED DUE TO  
# LACK OF DATA.  
#  
#  
# EXISTENCE OF THE CLAIMED RESERVOIR CANNOT BE  
# CONFIRMED WITH AVAILABLE DATA. SEE CLAIM FILE FOR  
# ADDITIONAL INFORMATION.  
#  
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, CLAIM PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY), OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59717-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER: 400-W-076792-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 22, 1952
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 100.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	E2SENW 35 27N 35E VALLEY	DAM

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01	DNSTREAM E2SENW 35 27N 35E VALLEY

RESERVOIR/LAKE NAME: UPPER LONE TREE DETENTION RES
CAPACITY: 150.0 AC-FT DAM HEIGHT: 17 FT SURFACE AREA: 26.26 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

THE W067792-00, W067793-00, W067794-00, W170739-00.
BEEN ESTIMATED BY DNRC.

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

PLACE DE USE FOR FLOOD CONTROL:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

* D 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,552

WATER RIGHT NUMBER 400-W-076792-00 (CONTINUED)

PLACE OF USE CONTINUED:

001

SENM 35 27N 35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECRESES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076792-00, W076793-00, W076794-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE
FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING
PLACES OF USE. W067792-00, W067793-00, W067794-00,
W170739-00.

THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL
USE OF WATER EXISTING PRIOR TO JULY 1, 1973.

THE USE OF THIS WATER APPEARS TO BE LARGELY
NON-CONSUMPTIVE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER: 400x-W-076793-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 22, 1952
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

WATER USE: 49.51 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 E2SENW 35 27N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM E2SENW 35 27N 35E VALLEY

RESERVOIR/LAKE NAME: UPPER LONE TREE DETENTION RES
CAPACITY: 130.0 AC-EI DAM HEIGHT: 17.51 SURFACE AREA: 26.26 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SENW 35 27N 35E VALLEY

REMARKS:

* F 04

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REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

W076792-00, W076793-00, W076794-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
* UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE
FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING
PLACES OF USE. W076792-00, W076793-00, W076794-00,
W170739-00.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHTS WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO OTHER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 872, BOZEMAN MT 59711-0872.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,555

WATER RIGHT NUMBER: 400-W-076794-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 22, 1952
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QIR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 E2SENW 35 27N 35E VALLEY DAM

RESERVOIR:

----- QIR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM E2SENW 35 27N 35E VALLEY

RESERVOIR/LAKE NAME: UPPER LONE TREE DETENTION RES
CAPACITY: 150.0 AC-FT DAM HEIGHT: 17.51 SURFACE AREA: 26.26 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QIR SEC SEC TWP RGE COUNTY -----
001 SENW 35 27N 35E VALLEY

REMARKS:

* H 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,556

WATER RIGHT NUMBER 400 - W-076794-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076792-00, W076793-00, W076794-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x x x
x THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE x
x FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING x
x PLACES OF USE. W076792-00, W076793-00, W076794-00, x
x W170739-00. x
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59717-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,557

WATER RIGHT NUMBER 400g-W-076795-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 07, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 90.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SESENE 01 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SESENE 01 27N 36E VALLEY

RESERVOIR/LAKE NAME: BRAZIL DIVIDE DETENTION RESERVOIR
CAPACITY: 96.0 AC-FT DAM HEIGHT: 3 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE NENESE SEC 01 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

PLACE OF USE FOR FLOOD CONTROL:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001

SESENE 01 27N 36E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INC. USING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,558

WATER RIGHT NUMBER: 400-W-076795-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076795-00, W076796-00, W076797-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* * * * *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NON-CONSUMPTIVE. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,559

WATER RIGHT NUMBER 400-W-076796-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 07, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SESENE	01	27N	36E	VALLEY	DAM

RESERVOIR:

QTR	SEC	SEC	TWP	RGE	COUNTY	
01	DNSTREAM	SESENE	01	27N	36E	VALLEY

RESERVOIR/LAKE NAME: BRAZIL DIVIDE DETENTION RESERVOIR
CAPACITY: 96.0 AC-FT DAM HEIGHT: 9 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE NENE SEC 01 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SE	01	27N	36E	VALLEY	

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,560

WATER RIGHT NUMBER W-076796-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076795-00, W076796-00, W076797-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-585-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,561

WATER RIGHT NUMBER 4001-W-076797-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 07, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 5.34 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESENE 01 27N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM SESENE 01 27N 36E VALLEY
RESERVOIR/LAKE NAME: BRAZIL DIVIDE RETENTION RESERVOIR
CAPACITY: 96.0 AC-FT DAM HEIGHT: 9 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE NENESE SEC 01 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY.
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESENE 01 27N 36E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITE RIVER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,562

WATER RIGHT NUMBER 400-W-076797-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076795-00, W076796-00, W076797-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,563

WATER RIGHT NUMBER 4002-W-076798-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

ADDRESSES: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNW 03 27N 36E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWNSTREAM SWNW 03 27N 36E VALLEY
RESERVOIR/LAKE NAME: FLAGFIN RETENTION RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNW 03 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* A 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,564

WATER RIGHT NUMBER 400g-W-076798-00g (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076798-00, W076799-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,565

WATER RIGHT NUMBER 4002-V-076799-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS UNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SWNNWW 03 27N 36E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 UNSTREAM SWNNWW 03 27N 36E VALLEY
RESERVOIR/LAKE NAME: FLAGFIN RETENTION RESERVOIR

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNNWW 03 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* C 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,566

WATERRIGHT#NUMBER#400#-W-076799-00#(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076798-00, W076799-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

* D 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,567

WATER RIGHT NUMBER: 4002-W-076800-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 22, 1957
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK SEC SEC TWP RGE COUNTY ----- MEANS -----
01 N2ENW 05 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM N2ENW 05 27N 36E VALLEY

RESERVOIR/LAKE NAME: NORTH BEAVER DETENTION RESERVOIR
CAPACITY: 120.0 AC-FT DAM HEIGHT: 20 FT SURFACE AREA: 19.70 ACRES

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK SEC SEC TWP RGE COUNTY -----
001 N2ENW 05 27N 36E VALLEY
002 32 E 05 VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,568

WATER RIGHT NUMBER 400-W-076800-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076800-00, W076801-00, W076802-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

* F 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,569

WATER RIGHT NUMBER: 400g-W-076801-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 22, 1957
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 29.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 N2NENW 05 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM N2NENW 05 27N 36E VALLEY

RESERVOIR/LAKE NAME: NORTH BEAVER DETENTION RESERVOIR
CAPACITY: 120,000 AC-FT DAM HEIGHT: 20 FT SURFACE AREA: 19.70 ACRES

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 N2NENW 05 27N 36E VALLEY
002 32 28N 05 VALLEY

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076800-00. W076801-00. W076802-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,571

WATER RIGHT NUMBER: 400-M-076802-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 22, 1957
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 90.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 N2NENW 05 27N 36E VALLEY DAM
RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM N2NENW 05 27N 36E VALLEY
RESERVOIR/LAKE NAME: NORTH BEAVER DETENTION RESERVOIR
CAPACITY: 120.0 AC-FT DN HEIGHT: 20 FT SURFACE AREA: 19.20 ACRES
THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR FLOOD CONTROL:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 N2NENW 05 27N 36E VALLEY
002 32 12803 VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,572

WATER RIGHT NUMBER 400-M-076802-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076800-00, W076801-00, W076802-00.

2 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS 2
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 2
2 UNRESOLVED IF NO OBJECTIONS ARE FILED. 2
2 2
2 2
2 2
2 THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL 2
2 USE OF WATER EXISTING PRIOR TO JULY 1, 1973. 2
2 2
2 THE USE OF THIS WATER APPEARS TO BE LARGELY 2
2 NON-CONSUMPTIVE. 2
2 2
2 2

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,573

WATER RIGHT NUMBER 4003-W-076803-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MARCH 31, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 134.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESENW 06 27N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESENW 06 27N 36E VALLEY
RESERVOIR/LAKE NAME: ALKALI DETENTION RESERVOIR
CAPACITY: 145,000 AC-FT DAM HEIGHT: 16 FT SURFACE AREA: 800 ACES

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN THE
CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR FLOOD CONTROL:

800 ACES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESENE 06 27N 36E VALLEY

REMARKS:

* K 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,574

WATER RIGHT NUMBER 400-W-076803-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076803-00, W076804-00, W076805-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x
x x x
x THE CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL x
x USE OF WATER EXISTING PRIOR TO JULY 1, 1973. x
x x x
x THE USE OF THIS WATER APPEARS TO BE LARGELY x
x NON-CONSUMPTIVE. x
x x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

* L 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,575

WATER RIGHT NUMBER: 4002-W-076804-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MARCH 31, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESEW 06 27N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESEW 06 27N 36E VALLEY
RESERVOIR/LAKE NAME: ALKALI DETENTION RESERVOIR
CAPACITY: 145.0 AC-FT DAM HEIGHT: 16 FT SURFACE AREA: 80 ACRES

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR STOCK:

80 ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 N2SWNE 06 27N 36E VALLEY

REMARKS:

* M 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,576

WATER RIGHT NUMBER 400-W-076804-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076803-00, W076804-00, W076805-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY"

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

* N 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,577

WATER RIGHT NUMBER 400-W-076805-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MARCH 31, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 10.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 NESENW 06 27N 36E ULLLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM NESENW 06 27N 36E ULLLEY

RESERVOIR/LAKE NAME: ALKALI DETENTION RESERVOIR
CAPACITY: 145.0 AC-FT DAM HEIGHT: 15.51 SURFACE AREA: ----- ACRES

SEE THE BLM PROJECT COMPLETION FILE WORKSHEET IN THE
CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 N2SENW 06 27N 36E ULLLEY

REMARKS:

* 0 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,578

WATER RIGHT NUMBER 4002-W-076805-002 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076803-00, W076804-00, W076805-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X

X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

03/31/95
PAGE 2,579

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076806-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----
01 SWNNW 08 27N 36E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWNNW 08 27N 36E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNNW 08 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,580

WATER RIGHT NUMBER: W-076806-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076806-00, W076807-00.

% THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 1
% DATA, OR ISSUES TO REPORT TO THE WATER COURT. 1

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

* C 06

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,581

WATER RIGHT NUMBER: 400-W-076807-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	QIR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SWMNW	08	27N	36E	VALLEY	PIT

RESERVOIR:

	QIR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM	SWMNW	08	27N	36E	VALLEY	

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QIR	SEC	SEC	TWP	RGE	COUNTY
001			SWMNW	08	27N	36E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* D 06

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,582

WATER RIGHT NUMBER 400-W-076807-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076806-00, W076807-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 875, BOZEMAN MT 59771-0875.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,583

WATER RIGHT NUMBER: 40C2-W-076808-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 10, 1957
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 553.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SENE 09 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SENE 09 27N 36E VALLEY

RESERVOIR/LAKE NAME: WAMMS DETENTION RESERVOIR
CAPACITY: ----- 562.0 AC-FT DAM HEIGHT: 18 FT SURFACE AREA: ----- 75.00 ACRES

THE DAM EXTENDS INTO THE NWSE, NWNE SEC 09 TWP 27N
RGE 36E VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

* PLACE OF USE FOR FLOOD CONTROL:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

* F 06

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,584

WATER RIGHT NUMBER: 400g-W-076808-00g (CONTINUED)

PLACE OF USE CONTINUED:

001

SENE 09 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076808-00, W076809-00, W076810-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* * * * *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NON-CONSUMPTIVE. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,585

WATER RIGHT NUMBER 4002-W-076809-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 26800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 10, 1957
TYPE OF HISTORICAL RIGHT: USE

ELDW. RITE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 8.71 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QIB SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SENE 09 27N 36E VALLEY DAM

RESERVOIR:

----- QIB SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SENE 09 27N 36E VALLEY

RESERVOIR/LAKE NAME: NAMMS DETENTION RESERVOIR
CAPACITY: 562.0 AC-FT DAM HEIGHT: 18.1 FT SURFACE AREA: 75.00 ACRES

THE DAM EXTENDS INTO THE NWSE, NWNESE SEC 09 TWP 27N
RGE 36E VALLEY COUNTY.

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QIB SEC SEC TWP RGE COUNTY -----

* H 06

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,586

WATER RIGHT NUMBER: 400-1-W-076809-00 (CONTINUED)

PLACE OF USE CONTINUED:

001

SENE 09 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER, IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076808-00, W076809-00, W076810-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
* UNRESOLVED IF NO OBJECTIONS ARE FILED.
*
*
*
*
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
* AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
*
*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

* I 06

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,587

WATER RIGHT NUMBER: 400X-W-076810-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 10, 1957
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK Q18 SEC SEC TWP RGE COUNTY ----- MEANS

01 SENE 09 27N 36E VALLEY DAM

RESERVOIR:

----- Q18 SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SENE 09 27N 36E VALLEY

RESERVOIR/LAKE NAME: HAMMS DETENTION RESERVOIR
CAPACITY: ----- 562.0 AC-FT DAM HEIGHT: 18 FT SURFACE AREA: ----- 75.00 ACRES

THE DAM EXTENDS INTO THE NWSE, NWSESE SEC 09 TWP 27N
RGE 36E VALLEY COUNTY.

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE EDB STOCK:

----- ACRES ----- LOT BLK Q18 SEC SEC TWP RGE COUNTY -----

* J 06

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,588

WATER RIGHT NUMBER: 400-W-076810-00 (CONTINUED)

PLACE OF USE CONTINUED:

001

SENE 09 27N 36E URLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076808-00, W076809-00, W076810-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

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P.O. BOX 879, BOZEMAN MT 59711-0879.

* K 06

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,589

WATER RIGHT NUMBER: 400g-W-076811-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 28, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SWNWSE 11 27N 36E VALLEY DAM
RESEGOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWNWSE 11 27N 36E VALLEY

* PLACE OF USE FOR STOCK:

----- P2BBS ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNWSE 11 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,590

WATER RIGHT NUMBER 400-W-076811-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076811-00, W076812-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,591

WATER RIGHT NUMBER 400-V-076812-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 28, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SWMSE	11	27N	36E	VALLEY	DAM

RESERVOIR:

QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM		SWMSE	11	27N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SWMSE	11	27N	36E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

* N 06

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN #00
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,592

WATER RIGHT NUMBER 4002-W-076812-002 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076811-00, W076812-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADDJINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,593

WATER RIGHT NUMBER: 4001-V-076813-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1942
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWSTREAM RESERVOIR.

VOLUME: 18.51 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNW 14 27N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWSTREAM SWNW 14 27N 36E VALLEY

RESERVOIR/LAKE NAME: UR-49 RESERVOIR
CAPACITY: 18.9 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 6.17 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

THE DAM HEIGHT AND SURFACE AREA HAVE BEEN ESTIMATED
BY DNRC.

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNW 14 27N 36E VALLEY

* A 07

03/31/95
PAGE 2,594

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 N.M.T. 343 (1968) (THE BEAR LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-524-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,595

WATER RIGHT NUMBER: 4002-W-076814-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY **, 1942
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01					S4NW	14	27N 36E	VALLEY DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM				S4NW	14 27N 36E VALLEY

RESERVOIR/LAKE NAME: UR-49 RESERVOIR
CAPACITY: 18.9 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 6.17 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

THE DAM HEIGHT AND SURFACE AREA HAVE BEEN ESTIMATED
BY DNRC.

PLACE OF USE EDR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001							S4NW	14 27N 36E	VALLEY

* C 07

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,595

WATER RIGHT NUMBER 400-W-076814-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076813-00, W076814-00.

* THE DMRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
"ILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,597

WATER RIGHT NUMBER: 4002-W-076815-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 24, 1957
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 12.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			E2SE	17	27N	36E	VALLEY	DAM	

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	E2SE	17	27N	36E	VALLEY

RESERVOIR/LAKE NAME: MOCCASIN DETENTION RESERVOIR
CAPACITY: 520.0 AC-FT DAM HEIGHT: 28.51 SURFACE AREA: ACRES

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SE	17	27N	36E	VALLEY		

REMARKS:

* E 07

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,598

WATER RIGHT NUMBER 400-W-076815-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076815-00, W076816-00, W076817-00.

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
3 UNRESOLVED IF NO OBJECTIONS ARE FILED.
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6
7 THERE IS A QUESTION AS TO THE VALIDITY OF THIS
8 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
9 AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
10 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
11 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
12 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
13 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
14
15
16 *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 000
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,599

WATER RIGHT NUMBER: 400g-W-076816-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 24, 1957
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 507.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----

01 E2SE 17 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM E2SE 17 27N 36E VALLEY

RESERVOIR/LAKE NAME: MOCCASIN DETENTION RESERVOIR
CAPACITY: 520.0 AC-FT DAM HEIGHT: 28 FT SURFACE AREA: ACRES

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR FLOOD CONTROL:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SE 17 27N 36E VALLEY

REMARKS:

* G 07

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,600

WATER:RIGHT:NUMBER:400:W-076816-00:(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076815-00, W076816-00, W076817-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* * * * *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NON-CONSUMPTIVE. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,601

WATER RIGHT NUMBER: 400; W-076817-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 24, 1957
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QIR SEC SEC IMP RGE COUNTY MEANS -----
01 E2SE 17 27N 36E VALLEY DAM

RESERVOIR:

----- QIR SEC SEC IMP RGE COUNTY -----
01 ONSTREAM E2SE 17 27N 36E VALLEY

RESERVOIR/LAKE NAME: MOCCASIN DETENTION RESERVOIR
CAPACITY: 520.0 AC-FT DAM HEIGHT: 28.0 FT SURFACE AREA: _____ ACRES

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QIR SEC SEC IMP RGE COUNTY -----
001 SE 17 27N 36E VALLEY

REMARKS:

* I 07

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,602

WATER RIGHT NUMBER 400-W-076817-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076815-00, W076816-00, W076817-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :
: *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

* J 07

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,603

WATER RIGHT NUMBER 400-W-076818-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MARCH 31, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 MNW 18 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM MNW 18 27N 36E VALLEY

RESERVOIR/LAKE NAME: TEEPE DETENTION RESERVOIR
CAPACITY: 138.0 AC-FT DAM HEIGHT: 18 FT SURFACE AREA: ----- ACRES

THE DAM EXTENDS INTO THE SWSWSW SEC 07 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SW 07K27N07E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,604

WATER RIGHT NUMBER: 400-W-076818-00 (CONTINUED)

PLACE OF USE CONTINUED:

002

MMW 18 27N 36E VALLEY

BEDDERS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT, RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076818-00, W076819-00, W076820-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

* L 07

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,605

WATER RIGHT NUMBER 400-W-076819-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36000
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MARCH 31, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 129.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NW 1/4 18 27N 36E VALLEY DAM
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NW 1/4 18 27N 36E VALLEY
RESERVOIR LAKE NAME: TEPEE DETENTION RESERVOIR
CAPACITY: 138.0 AC-FT DAM HEIGHT: 18 FT SURFACE AREA: ACBS

THE DAM EXTENDS INTO THE SWSW SEC 07 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR FLOOD CONTROL:

ACBS LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSW 07 27N 36E VALLEY
002 NW 1/4 18 27N 36E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,606

WATER RIGHT NUMBER 400-W-076819-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076818-00, W076819-00, W076820-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL X
X USE OF WATER EXISTING PRIOR TO JULY 1, 1973. X
X X
X THE USE OF THIS WATER APPEARS TO BE LARGELY X
X NON-CONSUMPTIVE. X
X X

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,607

WATER RIGHT NUMBER 400-U-076820-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MARCH 31, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 8.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT_BLK	QIR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01							MMW 18 27N 36E VALLEY	DAM

RESERVOIR:

	QIR	SEC	SEC	TWP	RGE	COUNTY
01						MMW 18 27N 36E VALLEY

RESERVOIR/LAKE NAME: TEEPEE DETENTION RESERVOIR
CAPACITY: 128.0 AC-FT DAM HEIGHT: 18 FT SURFACE AREA: 8085

THE DAM EXTENDS INTO THE SWSW SEC 07 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

PLACE OF USE FOR WILDLIFE:

ACRES LOT_BLK QIR SEC SEC TWP RGE COUNTY

001

54 07 07 VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,608

WATER RIGHT NUMBER 400-W-076820-00 (CONTINUED)

PLACE OF USE CONTINUED:

002

MANW 18 27N 30E VALLEY

BEDROCKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTER AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076818-00, W076819-00, W076820-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,609

WATER RIGHT NUMBER: 400-W-076821-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 SESE 19 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SESE 19 27N 36E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SESE 19 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* B 08

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,610

WATER RIGHT NUMBER 400-W-076821-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076821-00, W076822-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 294 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,611

WATERRIGHT;NUMBER;400;W-076822-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SESE	19	27N	36E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01			ONSTREAM	SESE	19	27N	36E VALLEY

PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SESE	19	27N	36E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,612

WATER RIGHT NUMBER 400-W-076822-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076821-00, W076822-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,613

WATER RIGHT NUMBER 400g-W-076823-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 10, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 16.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SWSENE 20 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SWSENE 20 27N 36E VALLEY

RESERVOIR/LAKE NAME: CHIEF JOSEPH RETENTION RESERVOIR
CAPACITY: 17.0 AC-FT DAM HEIGHT: 13 FT SURFACE AREA: 1.54 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

THE DAM HEIGHT AND SURFACE AREA HAVE BEEN ESTIMATED
BY DNRC.

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWSENE 20 27N 36E VALLEY
002 UNNAMED 20 27N 36E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,614

WATER RIGHT NUMBER: 400-W-076823-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT, RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076823-00, W076827-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X X
X X X X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 943 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X X X
X THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE X
X CLAIMED PURPOSE. THE CLAIMED VOLUME EQUALS 2.7 TIMES X
X THE CAPACITY OF THE RESERVOIR. X
X X X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MIA RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,615

WATER RIGHT NUMBER: 400-4-076824-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 04, 1957
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NW1/4 21 27N 36E VALLEY DAM
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWNSTREAM NW1/4 21 27N 36E VALLEY

RESERVOIR/LAKE NAME: HURRICANE RESERVOIR
CAPACITY: 285,000 CU YD DAM HEIGHT: 24 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE NENENE SEC 20 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NENE 20 27N 36E VALLEY
002 W2/4 21 27N 36E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,616

WATER RIGHT NUMBER 400-W-076824-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076824-00, W076825-00, W076826-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,617

WATER RIGHT NUMBER 4002-W-076825-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36600
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 04, 1957
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 275.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NNNNNW 20 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NNNNNW 20 27N 36E VALLEY

RESERVOIR/LAKE NAME: HURRICANE RESERVOIR
CAPACITY: 285.0 AC-EI DAM HEIGHT: 24.0 EI SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE NENENE SEC 20 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR FLOOD CONTROL:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001
002

NENE 20 27N 36E VALLEY
W27 21 J 27N 03 VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,618

WATER RIGHT NUMBER 400-W-076825-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076824-00, W076825-00, W076826-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
UNRESOLVED IF NO OBJECTIONS ARE FILED.

THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL
USE OF WATER EXISTING PRIOR TO JULY 1, 1973.

THE USE OF THIS WATER APPEARS TO BE LARGELY
NON-CONSUMPTIVE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,619

WATER RIGHT NUMBER 400-1-V-076826-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 04, 1957
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS UNSTREAM RESERVOIR.

VOLUME: 9.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK Q18 SEC SEC TWP RGE COUNTY DEAMS -----
01 NNNNNW 21 27N 36E VALLEY DAM

RESERVOIR:

----- Q18 SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NNNNNW 21 27N 36E VALLEY

RESERVOIR/LAKE NAME: HURRICANE RESERVOIR
CAPACITY: 295,000 AC-FT DAM HEIGHT: 24.51 SURFACE AREA: 800 ACRES

THE DAM EXTENDS INTO THE MENENE SEC 20 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR WILDLIFE:

----- 800 ACRES ----- LOT BLK Q18 SEC SEC TWP RGE COUNTY -----

001
002

MENE 20 27N 36E VALLEY
W2 21 27N 36E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,620

WATER RIGHT NUMBER 400-W-076826-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076824-00, W076825-00, W076826-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x

x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,621

WATER RIGHT NUMBER: 400-W-076827-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 10, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SWSENE	20	27N	36E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM		SWSENE	20	27N	36E	VALLEY

RESERVOIR/LAKE NAME: CHIEF JOSEPH RETENTION RESERVOIR
CAPACITY: 17.0 AC-FT DAM HEIGHT: 13 FT SURFACE AREA: 1.54 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

THE DAM HEIGHT AND SURFACE AREA HAVE BEEN ESTIMATED
BY DNRC.

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SWSENE	20	27N	36E	VALLEY	
002			UNNAMED	20	27N	36E	VALLEY	

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,622

WATER RIGHT NUMBER 400-W-076827-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076827-00, W076827-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,623

WATER RIGHT NUMBER 400-W-076828-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 28, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01							SNWENW 24 27N 36E VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM						SNWENW 24 27N 36E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001									SNWENW 24 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,624

WATER RIGHT NUMBER 400-W-076828-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076828-00, W076829-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,625

WATER\$RIGHT\$NUMBER\$400\$-W-076829-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 28, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	SWNEW 24 27N 36E VALLEY	DAM

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM	SWNEW 24 27N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001		SWNEW 24 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,626

WATER RIGHT NUMBER 400-W-076829-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076829-00, W076829-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,627

WATER:RIGHT:NUMBER:400:W-076830-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1969
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 7.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	R/R	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NNW	24	27N	36E	VALLEY	PIT	

RESERVOIR:

		R/R	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	NNW	24	27N	36E	VALLEY	

RESERVOIR/LAKE NAME: HALLOCK PIT

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	R/R	SEC	SEC	TWP	RGE	COUNTY
001			NNW	24	27N	36E	VALLEY		

REMARKS:

POINT OF DIVERSION AND PLACE OF USE ARE IN SEC 24 TWP
27N RGE 36 1/2E VALLEY COUNTY.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,628

WATER RIGHT NUMBER 400-W-076830-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076830-00, W076831-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS OF YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3670 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,629

WATER RIGHT NUMBER 400-W-076831-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1969
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QIR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 NWNESE 24 27N 36E VALLEY PIT

RESERVOIR:

----- QIR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM NWNESE 24 27N 36E VALLEY

RESERVOIR/LAKE NAME: HALLOCK PIT

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QIR SEC SEC TWP RGE COUNTY -----

001 NWNESE 24 27N 36E VALLEY

REMARKS:

POINT OF DIVERSION AND PLACE OF USE ARE IN SEC 24 TWP
27N RGE 36 1/2E VALLEY COUNTY.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,630

WATER RIGHT NUMBER 400-W-076831-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076830-00, W076831-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 8/9, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,631

WATER RIGHT NUMBER 400-W-076832-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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ADDRESS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ARRABIDE COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 27, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESW 25 27N 36E VALLEY DAM
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESW 25 27N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESW 25 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* I 09

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,632

WATER RIGHT NUMBER 400-W-076832-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076832-00, W076833-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,633

WATER RIGHT NUMBER 400-W-076833-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ARRABINE COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 27, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESW 25 27N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWNSTREAM NESW 25 27N 36E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESW 25 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03/31/95
PAGE 2,634

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076833-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076832-00, W076833-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P. O. BOX 873, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,635

WATER RIGHT NUMBER 4003-W-076834-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 05, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 6.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01				NENWNE	26	27N 36E	VALLEY DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01					ONSTREAM	NENWNE	26 27N 36E VALLEY

RESERVOIR/LAKE NAME: WACO RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001						NENWNE	26 27N 36E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* M 09

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,636

WATER RIGHT NUMBER 400-W-076834-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076834-00, W076835-00.

: THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS :
: EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN :
: UNRESOLVED IF NO OBJECTIONS ARE FILED. :
: :
: :
: :
: :
: THERE IS A QUESTION AS TO THE VALIDITY OF THIS :
: CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE :
: AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE :
: MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE :
: THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION :
: RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND :
: WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." :
: :
: :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/21/95
PAGE 2,637

WATER RIGHT NUMBER 400-M-076835-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 05, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LDI BLK QIR SEC SEC TWP RGE COUNTY MEANS

01 NENWNE 26 27N 36E VALLEY DAM

RESERVOIR:

QIR SEC SEC TWP RGE COUNTY

01 ONSTREAM NENWNE 26 27N 36E VALLEY

RESERVOIR/LAKE NAME: WACO RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LDI BLK QIR SEC SEC TWP RGE COUNTY

001 NENWNE 26 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* 0 09

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03-31-95
PAGE 2,638

WATER RIGHT NUMBER 400-V-076835-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076834-00, W076835-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,639

WATER RIGHT NUMBER 4001-V-076836-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 26, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

_____ LOT BLK QTR SEC SEC 1/4 RGE COUNTY _____	MEANS _____
01 SWEENE 28 27N 36E VALLEY	PIT

RESERVOIR:

_____ QTR SEC SEC 1/4 RGE COUNTY _____
01 ONSTREAM SWEENE 28 27N 36E VALLEY

* PLACE OF USE FOR STOCK:

_____ ACRES _____	LOT BLK QTR SEC SEC 1/4 RGE COUNTY _____
001	SWEENE 28 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* B 10

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,640

WATER RIGHT NUMBER 400-W-076836-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076836-00, W076837-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, z
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. z

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59717-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,641

WATER RIGHT NUMBER: 400-4-076837-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 26, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

_____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____	MEANS
01 SWSENE 28 27N 36E VALLEY	PIT

RESERVOIR:

_____ QTR SEC SEC TWP RGE COUNTY _____
01 DNSTREAM SWSENE 26 27N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

_____ ACRES _____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____
001 SWSENE 28 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95
PAGE 2,642

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
WD76836-00. WD76837-00.

 2 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
 2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
 2 UNRESOLVED IF NO OBJECTIONS ARE FILED.
 2
 2
 2
 2
 2 THERE IS A QUESTION AS TO THE VALIDITY OF THIS
 2 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
 2 AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
 2 MONTANA SUPREME COURT STATED, "IT IS CLEAR THEREFORE
 2 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
 2 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
 2 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
 2
 2
 2 *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVE AND FEDERAL RESERVE WATER RIGHTS.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,643

WATER RIGHT NUMBER 400-W-076838-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36000
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1956
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		NWSW	28	27N	36E	VALLEY	DAM	

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	NWSW	28	27N	36E	VALLEY	

RESERVOIR/LAKE NAME: LOWER BURNETT RESERVOIR

THE DAM EXTENDS INTO THE SENESE SEC 29 TWP 27N RGE 36E
VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001		NWSW	28	27N	36E	VALLEY		

REMARKS:

* F 10

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,644

WATER RIGHT NUMBER 400-W-076838-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076838-00, W076839-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,645

WATER RIGHT NUMBER 400-W-076839-00

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1956
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 6.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NWSWSW 28 27N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NWSWSW 28 27N 36E VALLEY

RESERVOIR/LAKE NAME: LOWER BURNETT RESERVOIR

THE DAM EXTENDS INTO SENESE SEC 29 RGE 27N RGE 36E
VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NWSWSW 28 27N 36E VALLEY

REMARKS:

* H 10

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,646

WATER RIGHT NUMBER 400-M-076839-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076838-00, W076839-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,647

WATER RIGHT NUMBER 400-W-076840-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 07, 1952
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 150.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK Q18 SEC SEC 1WP RGE COUNTY MEANS -----

01 NWNE 29 27N 36E VALLEY DAM

RESERVOIR:

----- Q18 SEC SEC 1WP RGE COUNTY -----

01 DNSTREAM NWNE 29 27N 36E VALLEY

RESERVOIR LAKE NAME: BURNETT DETENTION RESERVOIR
CAPACITY: 150.0 AC-FT DAM HEIGHT: 9 FT SURFACE AREA: ----- ACRES

THE DAM EXTENDS INTO SWNE SEC 29 TWP 27N RGE 36E
VALLEY COUNTY

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE: FLOOD CONTROL:

----- ACRES ----- LOT BLK Q18 SEC SEC 1WP RGE COUNTY

001 NWNE 29 27N 36E VALLEY

PLACE OF USE CONTINUED.

002

SUNE 29 27N 36E URILEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

W076840-00, W076841-00, W076842-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
* UNRESOLVED IF NO OBJECTIONS ARE FILED.

THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL
USE OF WATER EXISTING PRIOR TO JULY 1, 1973.

THE USE OF THIS WATER APPEARS TO BE LARGELY
NON-CONSUMPTIVE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 279. 807EMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,649

WATER RIGHT NUMBER 400-W-076841-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 07, 1952
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 9.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK Q18 SEC SEC 1WP RGE COUNTY MEANS
01 NWNE 29 27N 36E VALLEY DAM

RESERVOIR:

Q18 SEC SEC 1WP RGE COUNTY
01 ONSTREAM NWNE 29 27N 36E VALLEY

RESERVOIR/LAKE NAME: BURNETT DETENTION RESERVOIR
CAPACITY: 160.0 AC-FT DAM HEIGHT: 9.61 SURFACE AREA: ACRES

THE DAM EXTENDS INTO SUNE SEC 29 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK Q18 SEC SEC 1WP RGE COUNTY
001 NWNE 29 27N 36E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,650

WATER RIGHT NUMBER 400-W-076841-00 (CONTINUED)

PLACE OF USE CONTINUED:

002

SWNE 27 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076840-00, W076841-00, W076842-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
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TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,651

WATER RIGHT NUMBER 400-W-076842-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 07, 1952
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NWNE 29 27N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NWNE 29 27N 36E VALLEY

RESERVOIR/LAKE NAME: BURNETT DIVERSION RESERVOIR

CAPACITY: 160.0 AC-FT DAM HEIGHT: 3.0 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE SWNE SEC 29 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NWNE 29 27N 36E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,652

WATER RIGHT NUMBER 400-W-076842-00 (CONTINUED)

PLACE OF USE CONTINUED:

002

SWNE 29 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076840-00, W076841-00, W076842-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,653

WATER RIGHT NUMBER 4002-W-076843-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): IRRIGATION
TYPE OF IRRIGATION SYSTEM: WATER SPREADING

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 13, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE
CONSISTS OF DIRECT FLOW WATER SPREADING.

VOLUME: 175.50 AF
CLIMATIC AREA: 2

MAXIMUM ACRES: 117.00

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS	
01				SE	SE	SW	33	27N 36E	VALLEY	DIVERSION DAM
02				SE	SW	SW	34	27N 36E	VALLEY	DIVERSION DAM

THE DIVERSION DAM NO. 1 EXTENDS INTO THE E2NE1/4 SEC 04
TWP 26N RGE 36E VALLEY COUNTY.

PLACE OF USE FOR IRRIGATION:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001	5.00				NW	NW	03	26N 36E	VALLEY
002	70.00				SE	SE	33	27N 36E	VALLEY
003	42.00				SW	SW	34	27N 36E	VALLEY
TOTAL	117.00								

REMARKS:

* A 11

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,654

WATER RIGHT NUMBER 400-W-076843-00 (CONTINUED)

REMARKS CONTINUED:

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON
3/19/91.

* THE DMRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,655

WATER RIGHT NUMBER: 400-W-076844-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* **SOURCE:** UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 07, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 197.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* **POINT OF DIVERSION AND MEANS OF DIVERSION:**

----- LCI BLK QIR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 SESESW 33 27N 36E VALLEY DAM

RESERVOIR:

----- QIR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM SESESW 33 27N 36E VALLEY

RESERVOIR/LAKE NAME: RINNIE DETENTION RESERVOIR
CAPACITY: 55.0 AC-FT DAM HEIGHT: 15.11 SURFACE AREA: ----- ACRES

THE DAM EXTENDS INTO THE E2NENW SEC 04 TWP 26N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

SEE THE MONTANA RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

PURPOSE OF USE FOR FLOOD CONTROL:

* C 11

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,656

WATER RIGHT NUMBER 400-W-076844-00 (CONTINUED)

PLACE OF USE CONTINUED:

	ACRES	LOT	BLK	QTR	SEC	TWP	RGE	COUNTY	
001					N2NW	04	26N	36E	VALLEY
002					SESW	33	27N	36E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076844-00, W076845-00, W076846-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* *
* *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NON-CONSUMPTIVE. *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,657

WATER RIGHT NUMBER 4002-W-076845-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 07, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 9.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESESW 33 27N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWNSTREAM SESESW 33 27N 36E VALLEY
RESERVOIR/LAKE NAME: RINNIE DETENTION RESERVOIR
CAPACITY: 55.0 AC-FT DAM HEIGHT: 15.5 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE E2MENW SEC 04 TWP 26N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 04 E26N 1 E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,658

WATER RIGHT NUMBER 400-W-076845-00 (CONTINUED)

PLACE OF USE CONTINUED:

002

SESW 33 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076844-00, W076845-00, W076846-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,659

WATER RIGHT NUMBER: 400-W-076946-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 07, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESESW 33 27N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SESESW 33 27N 36E VALLEY

RESERVOIR/LAKE NAME: RINNIE RETENTION RESERVOIR
CAPACITY: 55.0 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE E26NW SEC 04 TWP 26N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 N26 04 26N 13E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,660

WATER RIGHT NUMBER 400-W-076846-00 (CONTINUED)

PLACE OF USE CONTINUED:

002

SESW 33 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076844-00, W076845-00, W076846-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,661

WATER RIGHT NUMBER 4001-V-076847-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): IRRIGATION
TYPE OF IRRIGATION SYSTEM: WATER SPREADING

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 17, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE
CONSISTS OF DIRECT FLOW WATER SPREADING.

VOLUME: 147.00 AF
CLIMATIC AREA: 2

MAXIMUM ACRES: 98.00

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS	
01	(GOUT)	3				01	27N	36E	VALLEY	DIVERSION DAM

PLACE OF USE FOR IRRIGATION:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001	14.00 (GOUT)	3				01	27N	36E	VALLEY
002	12.00 (GOUT)	5				01	27N	36E	VALLEY
003	30.00 (GOUT)	6				01	27N	36E	VALLEY
004	6.00 (GOUT)	7				01	27N	36E	VALLEY
005	6.00 (GOUT)	8				01	27N	36E	VALLEY
006	11.00 (GOUT)	1				12	27N	36E	VALLEY
007	19.00 (GOUT)	4				12	27N	36E	VALLEY
TOTAL	98.00								

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,662

WATER RIGHT NUMBER 400-W-076847-00 (CONTINUED)

REMARKS CONTINUED:

2 THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2
2 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 2

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,663

WATER RIGHT NUMBER: 400-W-076848-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MILLER COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 01, 1965
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF RIVERBANK AND MEANS OF RIVERBANK:

LOT BLK QTR SEC SEC TWP RGE COUNTY DEANS

01 SWSWE 04 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SWSWE 04 27N 37E VALLEY

RESERVOIR/LAKE NAME: CISCO RESERVOIR

* PLACE OF USE FOR WILDLIFE:

00000 LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SWSWE 04 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* K 11

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,664

WATER RIGHT NUMBER 400-W-076848-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES. W076848-00,
W076849-00, W076849-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
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TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,665

WATER RIGHT NUMBER 400g-W-076849-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MILLER COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 01, 1965
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .99 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWE 04 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM SWSWE 04 27N 37E VALLEY

RESERVOIR/LAKE NAME: CISCO RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LOI BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWE 04 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* M 11

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,666

WATER RIGHT NUMBER 400-W-076849-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076849-00, L076849-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,667

WATER RIGHT NUMBER 400-W-076850-00

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OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 29, 1965
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 SESENE 06 27N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SESENE 06 27N 37E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SESENE 06 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,668

WATER RIGHT NUMBER 4001-W-076850-001 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076850-00, W076851-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,669

WATER RIGHT NUMBER 400x-W-076951-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 29, 1965
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS
01 SESENE 06 27N 37E VALLEY DAM
RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SESENE 06 27N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SESENE 06 27N 37E VALLEY

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,670

WATERRIGHTNUMBER:400g-W-076851-00g(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076850-00, W076851-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED ; OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,671

WATER RIGHT NUMBER: 400-W-076852-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MILLER COWLEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 30, 1945
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 5.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01								NENESE 11 27N 37E VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM						NENESE 11 27N 37E VALLEY

RESERVOIR/LAKE NAME: LONELY NIGHT RESERVOIR

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001								NENESE 11 27N 37E VALLEY	

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,672

WATER RIGHT NUMBER 400-W-076852-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076852-00, W076853-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,673

WATER RIGHT NUMBER 400-M-076853-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MILLER COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 30, 1945
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 MENESE 11 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM MENESE 11 27N 37E VALLEY
RESERVOIR/LAKE NAME: LONELY NIGHT RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 MENESE 11 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

C3/31/95
PAGE 2,674

WATER RIGHT NUMBER 400-W-076853-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076852-00, W076853-00.

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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,675

WATER RIGHT NUMBER 400-W-076854-00

IMPORTANT NOTICE

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OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MILLER COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 31, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 3.10 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWSWNW 11 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 DNSTREAM SWSWNW 11 27N 37E VALLEY

RESERVOIR/LAKE NAME: UPHAUS RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SWSWNW 11 27N 37E VALLEY

REDBOOKS:

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* H 12

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,676

WATER RIGHT NUMBER 400-W-076854-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076854-00, W076855-00.

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* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,677

WATER RIGHT NUMBER 400-W-076855-00

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ADDRES: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MILLER COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 31, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWNW 11 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSWNW 11 27N 37E VALLEY

RESERVOIR/LAKE NAME: UPHAUS RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
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* J 12

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,678

WATER RIGHT NUMBER 400-W-076855-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
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W076854-00, W076855-00.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,679

WATER RIGHT NUMBER: 400x-W-076856-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NENE 13 27N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NENE 13 27N 37E VALLEY

RESERVOIR/LAKE NAME: ALDRIN RESERVOIR

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NENE 13 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

* L 12

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,680

WATER RIGHT NUMBER 400-N-076856-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076856-00, W076857-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P. O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,681

WATER RIGHT NUMBER 400-W-076857-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 55107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NENE 13 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NENE 13 27N 37E VALLEY

RESERVOIR/LAKE NAME: ALDRIN RESERVOIR

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NENE 13 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,682

WATER RIGHT NUMBER 400-W-076857-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076856-00, W076857-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 1
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. 1

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA DNLV) OR 1-406-586-4364. OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,683

WATER RIGHT NUMBER 400-W-076859-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: MILLER COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 4.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 E2NWSW 14 27N 37E VALLEY DAM
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWNSTREAM E2NWSW 14 27N 37E VALLEY
RESERVOIR/LAKE NAME: BEARN RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 E2NWSW 14 27N 37E VALLEY
BEDDAYS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN AND
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,684

WATER RIGHT NUMBER 400-V-076858-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076858-00, W076859-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 079, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,695

WATER RIGHT NUMBER: 400-W-076859-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE/USE: STOCK

SOURCE: MILLER CULLEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QIB SEC SEC TWP RGE COUNTY ----- MEANS -----
01 E2NWSW 14 27N 37E VALLEY DAM

RESERVOIR:

----- QIB SEC SEC TWP RGE COUNTY -----
01 DOWNSTREAM E2NWSW 14 27N 37E VALLEY
RESERVOIR/LAKE NAME: BEAN RESERVOIR

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QIB SEC SEC TWP RGE COUNTY -----
001 E2NWSW 14 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,686

WATER RIGHT NUMBER: W-076859-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
WC76858-00, W076859-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,697

WATER RIGHT NUMBER: 002-W-076860-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGED FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 26, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.44 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

_____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____ MEANS
01 NWSESE 17 27N 37E VALLEY DAM

RESERVOIR:

_____ QTR SEC SEC TWP RGE COUNTY _____
01 ONSTREAM NWSESE 17 27N 37E VALLEY
RESERVOIR/LAKE NAME: SAGE MEN RESERVOIR

* PLACE OF USE FOR WILDLIFE:

_____ ACRES _____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____
001 NWSESE 17 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,688

WATER RIGHT NUMBER 14001-W-076860-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076860-00, W076861-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,689

WATER RIGHT NUMBER: 400-W-076861-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 26, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NWSESE 17 27N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NWSESE 17 27N 37E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NWSESE 17 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,690

WATER RIGHT NUMBER 400-W-076861-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076860-00, W076861-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, z
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. z

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,691

WATER RIGHT NUMBER 400-W-076862-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 15, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 65.90 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----

01 SWSWSW 18 27N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SWSWSW 18 27N 37E VALLEY

RESERVOIR/LAKE NAME: BEAVERETT DETENTION RESERVOIR
CAPACITY: 66.2 AC-FT DAM HEIGHT: 7 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE SESE SEC 13 TWP 27N RGE 36E
AND THE NW1/4 SEC 19 TWP 27N 37E VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001

S25E14 13 17N 13E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,692

WATER RIGHT NUMBER 400-W-076862-00 (CONTINUED)

PLACE OF USE CONTINUED:

002		ME	24	27N	36E	VALLEY
003		SWSWS	18	27N	37E	VALLEY
004	(SOUT)	NWNW	19	27N	37E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076862-00, W076863-00, W076864-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS #
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN #
UNRESOLVED IF NO OBJECTIONS ARE FILED. #

#

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

THE CLAIMED VOLUME MAY BE EXCESSIVE FOR THE CLAIMED
PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

#

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0679.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,693

WATER RIGHT NUMBER 400-W-076863-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 15, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWSWSW 18 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SWSWSW 18 27N 37E VALLEY

RESERVOIR/LAKE NAME: BEAVERETT DETENTION RESERVOIR
CAPACITY: 66.9 AC-FT DAM HEIGHT: 7 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE SESE SEC 13 TWP 27N RGE 36E
AND THE MNW SEC 19 TWP 27N RGE 37E VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SWSWSW 18 K 27N 13 VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,694

WATER RIGHT NUMBER 400-W-076863-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076862-00, W076863-00, W076864-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2.695

WATER RIGHT NUMBER: 400-W-076864-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT.)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): IRRIGATION
TYPE OF IRRIGATION SYSTEM: WATER SPREADING

SOURCE: LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 15, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE
CONSISTS OF DIRECT FLOW WATER SPREADING.

VOLUME: 229.50 AF
CLIMATIC AREA: 2

MAXIMUM ACRES: 153.00

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWSW 18 27N 37E VALLEY DIVERSION DAM

THE DIVERSION DAM EXTENDS INTO THE SESE SEC 13 TWP 27N
RGE 36M AND THE SWSWSW SEC 18 TWP 27N RGE 37E VALLEY
COUNTY.

* PLACE OF USE FOR IRRIGATION:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 20.60 S2SW 18 27N 37E VALLEY
002 105.00 M2 19 27N 37E VALLEY
003 27.40 SWNW 20 27N 37E VALLEY
TOTAL 153.00

REMARKS:

* M 13

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,696

WATER RIGHT NUMBER 400-W-076864-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076862-00, W076863-00, W076864-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,697

WATER RIGHT NUMBER 400-V-076265-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 11, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 22.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNW 21 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM NWNW 21 27N 37E VALLEY

RESERVOIR/LAKE NAME: BIG ROCK DETENTION RESERVOIR
CAPACITY: 370.0 AC-FT DAM HEIGHT: 19 FT SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNW 21 27N 37E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,698

WATER RIGHT NUMBER 400-W-076865-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076865-00, W076866-00, W076867-00.

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS 1
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 2
3 UNRESOLVED IF NO OBJECTIONS ARE FILED. 2
4 2 1
5 1 1
6 1 1
7 THERE IS A QUESTION AS TO THE VALIDITY OF THIS 1
8 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE 2
9 AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE 2
10 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE 2
11 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION 2
12 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND 2
13 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." 2
14 2 1
15 *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,699

WATER RIGHT NUMBER 400-W-075866-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 11, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 MNW 21 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 DNSTREAM MNW 21 27N 37E VALLEY

RESERVOIR/LAKE NAME: BIG ROCK DETENTION RESERVOIR
CAPACITY: 370.0 AC-FT DAM HEIGHT: 19.51 SURFACE AREA: 80865

SEE THE MONTANA WATER RESOURCES BOARD WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

PLACE OF USE FOR STOCK:

80865 LOT BLK QTR SEC SEC TWP RGE COUNTY

001

MNW 21 27N 37E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,700

WATER RIGHT NUMBER: 400-W-076866-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076865-00, W076866-00, W076867-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,701

WATER RIGHT NUMBER: 400-W-076867-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36600
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 11, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 323.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNW 21 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWNW 21 27N 37E VALLEY
RESERVOIR/LAKE NAME: BIG ROCK DETENTION RESERVOIR
CAPACITY: 320.0 AC-FT DAM HEIGHT: 19 FT SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR FLOOD CONTROL:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNW 21 27N 37E VALLEY
BEM8865:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,702

WATER RIGHT NUMBER 400-W-076867-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076865-00, W076866-00, W076867-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL x
x USE OF WATER EXISTING PRIOR TO JULY 1, 1973. x
x x
x THE USE OF THIS WATER APPEARS TO BE LARGELY x
x NON-CONSUMPTIVE. x
x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT
TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,703

WATER RIGHT NUMBER 400g-W-076868-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSITE RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	SWSNE 22 27N 37E VALLEY	DAM

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01	ONSITE SWSNE 22 27N 37E VALLEY

RESERVOIR/LAKE NAME: CONRAD RESERVOIR

THE DAM EXTENDS INTO THE NWNSE SEC 22 TWP 27N RGE 37E
VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001		SWSNE 22 27N 37E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,704

WATER RIGHT NUMBER: 000-W-076868-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT, RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076868-00, W076869-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,705

WATER RIGHT NUMBER 4001-V-076869-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWNE 22 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSWNE 22 27N 37E VALLEY

RESERVOIR/LAKE NAME: CONRAD RESERVOIR

THE DAM EXTENDS INTO THE NWNWSE SEC 22 TWP 27N RGE 37E
VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWNE 22 27N 37E VALLEY

BENEFITS:

* H 14

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,706

WATER RIGHT NUMBER 400-W-076869-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076868-00, W076869-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X
X
X
X
X

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
X
X
X
X
X
X
X
X

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANCES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,707

WATER RIGHT NUMBER 400-M-076870-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY" UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE. THE CHANGES OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: MILLER COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 02, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		NESE	24	27N	37E	VALLEY	DAM	

RESERVOIR:

LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY
01		ONSTREAM	NESE	24	27N	37E	VALLEY

RESERVOIR/LAKE NAME: TOMAHAWK DETENTION RESERVOIR
CAPACITY: 438.0 AC-FT DAM HEIGHT: 27 FT SURFACE AREA: ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY
-------	-----	-----	-----	-----	-----	-----	-----	--------

001	52NE	24	27N	37E	VALLEY
002	56NW	24	27N	37E	VALLEY
003	N2SE	24	27N	37E	VALLEY

REMARKS:

* J 14

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,708

WATER RIGHT NUMBER: W-076870-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076870-00, W076871-00, W076872-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,709

WATER RIGHT NUMBER 400g-W-076071-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: MILLER COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 02, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 64.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESE 24 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESE 24 27N 37E VALLEY

RESERVOIR/LAKE NAME: TOMAHAWK DETENTION RESERVOIR
CAPACITY: 438.0 AC-EI DAM HEIGHT: 27.0 EI SURFACE AREA: ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001	SENE	24	27N	37E	VALLEY
002	SENE	24	27N	37E	VALLEY
003	NESE	24	27N	37E	VALLEY

REMARKS:

* 1 14

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

W076870-00, W076871-00, W076872-00.

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
3 UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1980) (THE BEAR LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-436-3378 WITHIN MONTEZUMA, OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 425, CHANDLER, MT. 59711-0425.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,711

WATER RIGHT NUMBER 400-W-076872-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: MILLER COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 02, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 425.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESE 24 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESE 24 27N 37E VALLEY
CAPACITY: 438.0 AC-FT DAM HEIGHT: 27 FT SURFACE AREA: ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR FLOOD CONTROL:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 S2NE 24 27N 37E VALLEY
002 SE2NW 24 27N 37E VALLEY
003 NESE 24 27N 37E VALLEY

* N 14

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,712

WATER:RIGHT:NUMBER:400:W-076872-00:(CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076870-00, W076871-00, W076872-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* * * * *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NONCONSUMPTIVE. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,713

WATER RIGHT NUMBER 400-W-076873-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 31, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWSTREAM RESERVOIR.

VOLUME: 14.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		N2NWNE	26	27N	37E	VALLEY		DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	DOWSTREAM	N2NWNE	26	27N	37E	VALLEY

RESERVOIR/LAKE NAME: JORDAN RESERVOIR

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SWSWSE	23	27N	37E	VALLEY	
002				N2NWNE	26	27N	37E	VALLEY	

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,714

WATER RIGHT NUMBER 400-W-076873-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076873-00, W076874-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 819, BOZEMAN MT 59711-0819.

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,715

WATER RIGHT NUMBER: 400-W-076874-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 31, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY BEARS

01 N2NWNE 26 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM N2NWNE 26 27N 37E VALLEY

RESERVOIR/LAKE NAME: JORDAN RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SWSWE 23 27N 37E VALLEY
002 N2NWNE 26 27N 37E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,716

WATER RIGHT NUMBER: 4005-W-076874-001 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076873-00, W076874-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,717

WATER RIGHT NUMBER 4001-W-076875-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

ELOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC IWP RGE COUNTY MEANS
01 NENESE 27 27N 37E VALLEY DAM
RESERVOIR:

QTR SEC SEC IWP RGE COUNTY
01 ONSTREAM NENESE 27 27N 37E VALLEY
RESERVOIR/LAKE NAME: GORDON RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC IWP RGE COUNTY
001 NENESE 27 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USE OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,718

WATER RIGHT NUMBER 400-W-076875-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076875-00, W076876-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,719

WATER RIGHT NUMBER 4002-W-076876-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01							NENESE 27 27N 37E VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01							NENESE 27 27N 37E VALLEY

RESERVOIR/LAKE NAME: GORDON RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001							NENESE 27 27N 37E VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,720

WATER RIGHT NUMBER 14001-W-076876-001 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076875-00, W076876-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT
TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,721

WATER RIGHT NUMBER: 400g-W-076877-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 27, 1967
TYPE OF HISTORICAL RIGHT: USE

ELOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SWSWSE	29	27N	37E	VALLEY	PIT	

RESERVOIR:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM			SWSWSE	29	27N	37E	VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SWSWSE	29	27N	37E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,722

WATER RIGHT NUMBER 400-W-076877-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076877-00, W076878-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2.723

WATER RIGHT NUMBER 400-W-076878-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 27, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWSE 29 27N 37E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSWSE 29 27N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWSE 29 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076877-00. W076878-00.

 * THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
 * EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
 * UNRESOLVED IF NO OBJECTIONS ARE FILED. *
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 * *
 * THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
 * CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
 * AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
 * MONTANA SUPREME COURT STATED "IT IS CLEAR AND HEREFORE *
 * THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
 * RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
 * WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDING OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,725

WATER RIGHT NUMBER: 4001-W-076879-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 27, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC INP RGE COUNTY MEANS
01 SWSENE 30 27N 37E VALLEY PIT

RESERVOIR:

QTR SEC SEC INP RGE COUNTY
01 ONSTREAM SWSENE 30 27N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOI BLK QTR SEC SEC INP RGE COUNTY
001 SWSENE 30 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,726

WATER RIGHT NUMBER 400-W-076879-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076879-00, W076880-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELT: WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,727

WATER:RIGHT:NUMBER:400:-W-076880-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 27, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSENE 30 27N 37E VALLEY PIT
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSENE 30 27N 37E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSENE 30 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
WILF RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,728

WATER RIGHT NUMBER 400A-W-076880-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076879-00, W076880-00.

X THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. X
X DATA, OR ISSUES TO REPORT TO THE WATER COURT. X

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,729

WATER RIGHT NUMBER: 400g-W-076881-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 31, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NWSENE	32	27N	37E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM		NWSENE	32	27N	37E VALLEY
RESERVOIR/LAKE NAME: KAULITSKI RESERVOIR						
CAPACITY: 18.0 AC-FT DAM HEIGHT: _____ FT SURFACE AREA: _____ ACRES						

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				NWSENE	32	27N	37E	VALLEY	

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,730

WATER RIGHT NUMBER 400-V-076881-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076881-00, W076882-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT
TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,731

WATER RIGHT NUMBER 400-U-076882-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 31, 1953
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 17.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NWSENE 32 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NWSENE 32 27N 37E VALLEY

RESERVOIR/LAKE NAME: KAULITSKI RESERVOIR

CAPACITY: 18.0 AC-FT DAM HEIGHT: FT SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

ACRES LOI BLK QTR SEC SEC TWP RGE COUNTY

001 NWSENE 32 27N 37E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,732

WATER RIGHT NUMBER 4002-W-076882-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076881-00, W076882-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DWRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,733

WATER RIGHT NUMBER: 4002-W-076883-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1964
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3,937.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWSE 35 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SWSE 35 27N 37E VALLEY

RESERVOIR/LAKE NAME: GRUB RESERVOIR
CAPACITY: 4427.0 AC-FT DAM HEIGHT: 32 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE NWNE SEC 2 TWP 26N RGE 37E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR FLOOD CONTROL:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 (GOUT) 002 NWNE 02 26N 37E VALLEY
002 (GOUT) 003 NE 02 26N 37E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,734

WATER RIGHT NUMBER 400-W-076883-00 (CONTINUED)

PLACE OF USE CONTINUED:

003	(GOUT) 004	NWNW	02	26N	37E	VALLEY
004		SENE	34	27N	37E	VALLEY
005		E2SE	34	27N	37E	VALLEY
006		SESW	35	27N	37E	VALLEY
007		W2SE	35	27N	37E	VALLEY
008		SW	35	27N	37E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076883-00, W076884-00, W076885-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NON-CONSUMPTIVE. *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,735

WATER RIGHT NUMBER 4002-W-076884-00

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1964
TYPE OF HISTORICAL RIGHT: USE

ELOW DATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 489.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK Q18 SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SWSE 35 27N 37E VALLEY DAM

RESERVOIR:

----- Q18 SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SWSE 35 27N 37E VALLEY
RESERVOIR/LAKE NAME: GRUB RESERVOIR
CAPACITY: 4921.0 AC-FT DAM HEIGHT: 32 FT SURFACE AREA: 40 ACES

THE DAM EXTENDS INTO THE NWNE SEC 2 TWP 26N RGE 37E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR WILDLIFE:

----- ACES ----- LOT BLK Q18 SEC SEC TWP RGE COUNTY -----
001 (GOUT) 2 NWSE 02 16N 16E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,736

WATER RIGHT NUMBER 400-W-076884-00 (CONTINUED)

PLACE OF USE CONTINUED:

002	(GOUT)	3	NENW	02	26N	37E	VALLEY
003	(GOUT)	4	NWNW	02	26N	37E	VALLEY
004			E2SE	34	26N	37E	VALLEY
005			S2NW	35	26N	37E	VALLEY
006			SENE	34	27N	37E	VALLEY
007			W2SE	35	27N	37E	VALLEY
008			SW	35	27N	37E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076883-00, W076884-00, W076885-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
X UNRESOLVED IF NO OBJECTIONS ARE FILED.
X
X
X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
X
X THE CLAIMED VOLUME MAY BE EXCESSIVE FOR THE CLAIMED
X PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.
X
X

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,737

WATER RIGHT NUMBER 4001-W-076885-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1964
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK Q18 SEC SEC TWP RGE COUNTY MEANS
01 SWSE 35 27N 37E VALLEY DAM

RESERVOIR:

Q18 SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSE 35 27N 37E VALLEY

RESERVOIR/LAKE NAME: GRUB RESERVOIR
CAPACITY: 4427.0 AC-FT DAM HEIGHT: 32 FT SURFACE AREA: 3085

THE DAM EXTENDS INTO THE NWNE SEC 2 TWP 26N RGE 37E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR STOCK:

3085 LOT BLK Q18 SEC SEC TWP RGE COUNTY
001 (GOUT) 002 NW 02 26N 37E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,738

WATER RIGHT NUMBER 400-W-076885-00 (CONTINUED)

PLACE OF USE CONTINUED:

002	(GOUT) 003	NENW	02	26N	37E	VALLEY
003	(GOUT) 004	NENW	02	26N	37E	VALLEY
004		ESE	34	26N	37E	VALLEY
005		SENE	35	26N	37E	VALLEY
006		SENE	34	27N	37E	VALLEY
007		W2SE	35	27N	37E	VALLEY
008		SW	35	27N	37E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076885-00, W076884-00, W076885-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,739

WATER RIGHT NUMBER: 400-W-076886-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NENWSW 02 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NENWSW 02 27N 38E VALLEY

RESERVOIR/LAKE NAME: LUNCH RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 E2NWSW 02 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,740

WATER RIGHT NUMBER 400 W-076886-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076886-00, W076887-00.

* THE DWR EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 1
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. 1

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DWR EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-C879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03-31/95
PAGE 2,741

WATER RIGHT NUMBER 400-W-076887-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 9.40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QIR SEC SEC TWP RGE COUNTY MEANS

01 NENWSW 02 27N 38E VALLEY DAM

RESERVOIR:

QIR SEC SEC TWP RGE COUNTY

01 ONSTREAM NENWSW 02 27N 38E VALLEY

RESERVOIR/LAKE NAME: LUNCH RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QIR SEC SEC TWP RGE COUNTY

001 E2NWSW 02 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,742

WATER RIGHT NUMBER 400-W-076887-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076886-00, W076887-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,743

WATER RIGHT NUMBER: 4001-W-076888-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 01, 1947
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 16.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK Q18 SEC SEC TWP RGE COUNTY MEANS
01 (GOVT) 1 SWNE 03 27N 38E VALLEY DAM
RESERVOIR:

Q18 SEC SEC TWP RGE COUNTY
01 DNSTREAM SWNE 03 27N 38E VALLEY
CAPACITY: 13.6 AC-FT DAM HEIGHT: 18 FT SURFACE AREA: 2.27 ACRES

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN
ESTIMATED BY THE DNRC.

THE DAM EXTENDS INTO THE NWSENE SEC 03 TWP 27N RGE 38E
VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK Q18 SEC SEC TWP RGE COUNTY
001 (GOVT) 1 SWNE 03 27N 38E VALLEY
002 NWSENE 03 27N 38E VALLEY

REMARKS:

* A 17

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,744

WATER RIGHT NUMBER 400-W-076888-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076888-00, W076889-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE
FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING
PLACES OF USE. W076888-00, W076889-00, W170818-00.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,745

WATER RIGHT NUMBER: 400-M-076889-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 01, 1947
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____ MEANS
01 (GOUT) 1 SWSENE 03 27N 38E VALLEY DAM

RESERVOIR:

____ QTR SEC SEC TWP RGE COUNTY _____
01 ONSTREAM SWSENE 03 27N 38E VALLEY
CAPACITY: 13.6 AC-FT DAM HEIGHT: 19.5 FT SURFACE AREA: 2.27 ACRES

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN
ESTIMATED BY THE DNRC.

THE DAM EXTENDS INTO THE SWSENE SEC 03 TWP 27N RGE 38E
VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

____ ACRES ____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____
001 (GOUT) 1 SWSENE 03 27N 38E VALLEY
002 SWSENE 03 27N 38E VALLEY

REMARKS:

* C 17

03-31-95
PAGE 2,746

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

 1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS 2
 1 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 2
 1 UNRESOLVED IF NO OBJECTIONS ARE FILED. 2

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE
FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING
PLACES OF USE. W076888-00, W076889-00, W170818-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59717-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,747

WATER RIGHT NUMBER 400-0-076890-00

***** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED *****

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK

PRIORITY DATE:

FLOW RATE:

VOLUME:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	ATR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01				NEW	03	27N 38E	VALLEY DAM

RESERVOIR:

PLACE OF USE FOR STOCK:

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS
AT THE REQUEST OF THE CLAIMANT ON 10/24/90.

* THE DMRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED *
* AS THE CLAIMANT WITHDREW THE CLAIM. *

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT
ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS
DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE
AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,748

WATER RIGHT NUMBER 400-0-076891-00

***** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED *****

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK

PRIORITY DATE:

FLOW RATE:

VOLUME:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENW 03 27N 38E VALLEY DAM

RESERVOIR:

PLACE OF USE FOR WILDLIFE:

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS
AT THE REQUEST OF THE CLAIMANT ON 10/24/90.

* THE DNRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED *
* AS THE CLAIMANT WITHDREW THE CLAIM. *

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT
ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS
DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE
AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,749

WATER RIGHT NUMBER: 400-W-076892-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF COYOTE CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS
01 E2NWSE 04 27N 38E VALLEY DAM/PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM C2NWSE 04 27N 38E VALLEY
RESERVOIR/LAKE NAME: BROGER RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 E2NWSE 04 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,750

WATER RIGHT NUMBER 400-W-076892-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076892-00, W076893-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PAGE 2,751

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076893-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF COYOTE CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY	MEANS
01		E2NWSE	04	27N	38E	VALLEY DAM/PIT

RESERVOIR:

	QTR SEC	SEC	TWP	RGE	COUNTY	
01	ONSTREAM	E2NWSE	04	27N	38E	VALLEY

RESERVOIR/LAKE NAME: BADGER RESERVOIR

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR SEC	SEC	TWP	RGE	COUNTY
001				E2NWSE	04	27N	38E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,752

WATER RIGHT NUMBER 400-W-076893-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076892-00, W076893-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,753

WATER RIGHT NUMBER 400-M-076894-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LDI BLK QIR SEC SEC IWP BGE COUNTY				MEANS
01	(GOUT)	1	NE 05 27N 38E VALLEY	DAM/PIT

RESERVOIR:

QIR SEC SEC IWP BGE COUNTY			
01	DNSTREAM	NE	05 27N 38E VALLEY

RESERVOIR/LAKE NAME: UPPER RETENTION RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LDI BLK QIR SEC SEC IWP BGE COUNTY			
001	(GOUT)	1	NE 05 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* K 17

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,754

WATER RIGHT NUMBER 400-W-076894-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076894-00, W076895-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,755

WATER RIGHT NUMBER 400-W-076895-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT IN THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 (GOUT) 1 NE 05 27N 38E VALLEY DAM/PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NE 05 27N 38E VALLEY

RESERVOIR/LAKE NAME: UPPER RETENTION RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 (GOUT) 1 NE 05 27N 38E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,756

WATER RIGHT NUMBER 400-V-076895-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076894-00, W076895-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,757

WATER RIGHT NUMBER 400-W-076896-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 05, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 11.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND BEAMS OF DIVERSION:

LOT BLK QIB SEC SEC TWP RGE COUNTY BEAMS
01 NWNESE 06 27N 38E VALLEY DAM

RESERVOIR:

CIB SEC SEC TWP RGE COUNTY
01 ONSTREAM NWNESE 06 27N 38E VALLEY

RESERVOIR/LAKE NAME: KERNEY RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QIB SEC SEC TWP RGE COUNTY
001 NWNESE 06 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
WILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,758

WATER RIGHT NUMBER 400-V-076896-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076896-00, W076897-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1985) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA DNL V) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,759

WATER RIGHT NUMBER: 4001-W-076897-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 05, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NW/4 SEC 06 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NW/4 SEC 06 27N 38E VALLEY

RESERVOIR/LAKE NAME: KERNEY RESERVOIR

* PLACE OF USE EDB SIDCE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NW/4 SEC 06 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* B 18

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,760

WATER RIGHT NUMBER 400-W-076897-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076896-00, W076897-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,761

WATER:RIGHT:NUMBER:400:W-076898-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSESE 08 27N 38E VALLEY DAM/PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM SWSESE 08 27N 38E VALLEY
RESERVOIR/LAKE NAME: TRISH RESERVOIR
THE DAM EXTENDS INTO WYNENE SEC 17 TWP 27N RGE 38E
VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSESE 08 27N 38E VALLEY
002 WYNENE 17 27N 38E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,762

WATER RIGHT NUMBER 400-W-076898-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076898-00, W076899-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,763

WATER RIGHT NUMBER 4002-W-076899-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSESE 08 27N 38E VALLEY DAM/PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM SWSESE 08 27N 38E VALLEY

RESERVOIR/LAKE NAME: TRISH RESERVOIR

THE DAM EXTENDS INTO THE NWNE SEC 17 TWP 27N RGE 38E
VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSESE 08 27N 38E VALLEY
002 NWNE 17 27N 38E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,764

WATER RIGHT NUMBER 400-W-076899-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076898-00, W076899-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0679.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,765

WATER RIGHT NUMBER 400-W-076900-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF SAGE MEN CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1949
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SWSNW	09	27N	38E	VALLEY		DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		DNSTREAM	SWSNW	09	27N	38E	VALLEY

RESERVOIR/LAKE NAME: UR-167 RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			W2SNW	09	27N	38E	VALLEY	

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,766

WATER RIGHT NUMBER 400-W-076900-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076900-00, W076901-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,767

WATER RIGHT NUMBER: 400-W-076901-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1949
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWNW 09 27N 38E VALLEY DAM
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSWNW 09 27N 38E VALLEY
RESERVOIR/LAKE NAME: UR-167 RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 W2SWNW 09 27N 38E VALLEY

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,768

WATER RIGHT NUMBER 400 - W-076901-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076900-00, W076901-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
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* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 943 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,769

WATER RIGHT NUMBER 400-W-076902-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 5.90 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 W2SENE 09 27N 38E VALLEY DAM
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM W2SENE 09 27N 38E VALLEY
RESERVOIR/LAKE NAME: DUET RESERVOIR
THE DAM EXTENDS INTO E2SWNE SEC 09 TWP 27N RGE 38E
VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 W4SENE 09 27N 38E VALLEY
002 N4SWNE 09 27N 38E VALLEY

REMARKS:

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076902-00. W076903-00.

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* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
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* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
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* UNRESOLVED IF NO OBJECTIONS ARE FILED.
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* THERE IS A QUESTION AS TO THE VALIDITY OF THIS
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* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
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* AREA, 234 N.D.R. 367 (THE BEAR LAKE CASE) THE
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* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
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* THAT UNDER MONTANA LAW BEFORE 1975, NO APPROPRIATION
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* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
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* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,771

WATER RIGHT NUMBER 4003-W-076903-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 W2SENE 09 27N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM W2SENE 09 27N 38E VALLEY

RESERVOIR/LAKE NAME: DUET RESERVOIR

THE DAM EXTENDS INTO THE E2SWNE SEC 09 TWP 27N RGE 38E
VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NWSENE 09 27N 38E VALLEY
002 NESWNE 09 27N 38E VALLEY

BEDROCKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,772

WATER RIGHT NUMBER 400-W-076903-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076902-00, W076903-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,773

WATER RIGHT NUMBER 400-W-076904-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM "OUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 05-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF COYOTE CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			W2	N2	W	10	27	N 38E	VALLEY DAM/PI

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY	
01	ONSTREAM				W2	N2	W 10 27N 38E	VALLEY

RESERVOIR/LAKE NAME: HUMP RESERVOIR

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
001							W2	N2	W 10 27N 38E	VALLEY
002							E2	N2	W 10 27N 38E	VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,774

WATER RIGHT NUMBER 400 - W-076904-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076904-00, W076905-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
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* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,775

WATER RIGHT NUMBER 400-W-076905-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF COYOTE CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 W2NENW 10 27N 38E VALLEY DAM/PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM W2NENW 10 27N 38E VALLEY
RESERVOIR/LAKE NAME: HUMP RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 W2NENW 10 27N 38E VALLEY
002 E2NENW 10 27N 38E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,776

WATER RIGHT NUMBER 4001-V-076905-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076904-00, W076905-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,777

WATER RIGHT NUMBER: 400-W-076906-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF COYDIE CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 SESWSW 11 27N 38E VALLEY DAM/PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SESWSW 11 27N 38E VALLEY

RESERVOIR/LAKE NAME: OLA RESERVOIR

THE DAM EXTENDS INTO NENWNW SEC 14 TWP 27N RGE 38E
VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SESWSW 11 27N 38E VALLEY
002 NENWNW 14 27N 38E VALLEY

REMARKS:

* E 19

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,778

WATER RIGHT NUMBER: 400-W-076906-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076906-00, W076907-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BRSIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,779

WATER RIGHT NUMBER: 400-W-076907-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF COYOTE CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SE	SW	11	27N	38E	VALLEY	DAM/PIT

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		ON	STREAM	SE	SW	11	27N 38E VALLEY

RESERVOIR/LAKE NAME: OLA RESERVOIR

THE DAM EXTENDS INTO THE NENWNW SEC 14 TWP 27N RGE 38E
VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SE	SW	SW	11	27N 38E	VALLEY
002			NEN	WNW	14	27N 38E	VALLEY	

REMARKS:

* G 19

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,780

WATER RIGHT NUMBER 400 - W-076907-00 (CONTINUED)

REMARKS CONTINUED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076906-00, W076907-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,781

WATER RIGHT NUMBER: 4001-V-076908-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 02, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC 1/4 QTR COUNTY MEANS
01 NWNWSE 15 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC 1/4 QTR COUNTY
01 ONSTREAM NWNWSE 15 27N 38E VALLEY

RESERVOIR LAKE NAME: WILSON RESERVOIR
CAPACITY: 15.0 AC-FT DAM HEIGHT: 23 FT SURFACE AREA: 1.88 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

THE SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY
DNRC.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC 1/4 QTR COUNTY
001 NWNWSE 15 27N 38E VALLEY

* I 19

03/31/95
PAGE 2,792

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076908-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076908-00, W076909-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,783

WATER RIGHT NUMBER 400-W-076909-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 02, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 14.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY DEBNS

01 NWNWSE 15 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NWNWSE 15 27N 38E VALLEY

RESERVOIR/LAKE NAME: WILSON RESERVOIR
CAPACITY: 15.0 AC-FT DAM HEIGHT: 23 FT SURFACE AREA: 1.00 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

THE SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY
DNRC.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NWNWSE 15 27N 38E VALLEY

* K 19

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,784

WATER RIGHT NUMBER: 400-W-076909-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076908-00, W076909-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,785

WATER RIGHT NUMBER 400-W-076910-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 02, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.51 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY	MEANS
01		NWSENE	17 27N	38E	VALLEY	DAM/PI

RESERVOIR:

	QTR SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM	NWSENE	17 27N	38E	VALLEY	

RESERVOIR/LAKE NAME: DICKS RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY
001		NWSENE	17 27N	38E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95
PAGE 2,786

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076910-00. W076911-00.

 2 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS 2
 2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 2
 2 UNRESOLVED IF NO OBJECTIONS ARE FILED. 2

2 THERE IS A QUESTION AS TO THE VALIDITY OF THIS
3 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
4 AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
5 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
6 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
7 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
8 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4354, D.R. BY 6214 TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,787

WATER RIGHT NUMBER 400-W-076911-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 02, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
01 N7SENE 17 27N 38E VALLEY DAM/PIT
RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM N7SENE 17 27N 38E VALLEY
RESERVOIR/LAKE NAME: DICKS RESERVOIR

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 N7SENE 17 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* 0 19

PRELIMINARY DECREE
MILK RIVER BELOW WHITETATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,788

WATER RIGHT NUMBER 4001-V-076911-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076910-00, W076911-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,789

WATER RIGHT NUMBER: 4001-V-076-12-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 26, 1946
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 7.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

101 BLK Q1R SEC SEC TWP RGE COUNTY DEAMS
01 SWSWNW 20 27N 38E VALLEY DAM
RESERVOIR:

Q1R SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSWNW 20 27N 38E VALLEY
RESERVOIR/LAKE NAME: BEAVER RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES 101 BLK Q1R SEC SEC TWP RGE COUNTY
001 SWSWNW 20 27N 38E VALLEY
REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* B 20

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,790

WATER RIGHT NUMBER: 400-W-076912-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
WO76912-00, WO76913-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,791

WATER RIGHT NUMBER 400-M-076913-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 26, 1946
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWSNW 20 27N 30E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 DOWNSTREAM SWSNW 20 27N 30E VALLEY

RESERVOIR/LAKE NAME: BEAVER RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SWSNW 20 27N 30E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,792

WATER RIGHT NUMBER: 400-W-076913-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076912-00, W076913-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-524-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,793

WATER RIGHT NUMBER: 400-W-076914-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 25, 1960
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 472.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QIR SEC SEC TWP RGE COUNTY MEANS
01 SWNE 21 27N 38E VALLEY DAM

RESERVOIR:

QIR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNE 21 27N 38E VALLEY

RESERVOIR/LAKE NAME: JUDY RESERVOIR
CAPACITY: 559.7 AC-FT DAM HEIGHT: 23 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO NWNWSE, NENESW SEC 21 TWP 27N RGE
38E VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT IN THE CLAIM
FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR FLOOD CONTROL:

ACRES LOI BLK QIR SEC SEC TWP RGE COUNTY
001 SWNE 21 27N 38E VALLEY
002 SENE 21 27N 38E VALLEY

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PLACE OF USE CONTINUED:

E2SENW	21	27N	38E	VALLEY
MWSENW	21	27N	38E	VALLEY

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

W076914-00, W076915-00, W076916-00.

 * THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS *
 * EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
 * UNRESOLVED IF NO OBJECTIONS ARE FILED. *
 * *
 * *
 * THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL USE *
 * OF WATER EXISTING PRIOR TO JULY 1, 1973. *
 * *
 * THE USE OF THIS WATER APPEARS TO BE LARGELY *
 * NON-CONSUMPTIVE. *
 * *
 * *****

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,795

WATER RIGHT NUMBER: 400-W-076915-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 25, 1960
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT 01K Q1R SEC SEC 1WP RGE COUNTY MEANS
01 SWNE 21 27N 38E VALLEY DAM

RESERVOIR:

Q1R SEC SEC 1WP RGE COUNTY
01 ONSTREAM SWNE 21 27N 38E VALLEY

RESERVOIR/LAKE NAME: JUDY RESERVOIR
CAPACITY: 559.7 AC-FT DAM HEIGHT: 23 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO NW1/4 SEC 21 T1P 27N RGE
38E VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT IN THE CLAIM
FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR STOCK:

ACRES LOT 01K Q1R SEC SEC 1WP RGE COUNTY
001 SWNE 21 27N 38E VALLEY
002 SE1/4 21 27N 38E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,796

WATER RIGHT NUMBER 400-W-076915-00 (CONTINUED)

PLACE OF USE CONTINUED:

003	E2SEW	21	27N	38E	VALLEY
004	NWSEW	21	27N	38E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076914-00, W076915-00, W076916-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,797

WATER RIGHT NUMBER: 400-W-076916-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 25, 1960
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 157.31 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNE 21 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM SWNE 21 27N 38E VALLEY

RESERVOIR/LAKE NAME: JUDY RESERVOIR
CAPACITY: 559.2 AC-FT DAM HEIGHT: 23 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO NWNESE, NENESE SEC 21 TWP 27N RGE 38E VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNE 21 27N 38E VALLEY
002 SENESE 21 27N 38E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,798

WATER RIGHT NUMBER 400 - W-076916-00 (CONTINUED)

PLACE OF USE CONTINUED:

003	E2SENW	21	27N	38E	VALLEY
004	N5SENW	21	27N	38E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076914-00, W076915-00, W076916-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59717-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,799

WATER RIGHT NUMBER: 400-W-076917-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 25, 1960
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 343.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QIB SEC SEC TWP RGE COUNTY MEANS
01 S2SENE 22 27N 38E VALLEY DAM

RESERVOIR:

QIB SEC SEC TWP RGE COUNTY
01 ONSTREAM S2SENE 22 27N 38E VALLEY

RESERVOIR/LAKE NAME: DEEP CUT RESERVOIR
CAPACITY: 373.4 AC-FT DAM HEIGHT: 30 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO SWSWNW SEC 23 TWP 27N RGE 38E
VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT IN THE CLAIM
FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR FLOOD CONTROL:

3685 LOT BLK QIB SEC SEC TWP RGE COUNTY
001 SENE 22 27N 38E VALLEY
* L 20

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,800

WATER RIGHT NUMBER 400g-W-076917-00g (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076917-00, W076918-00, W076919-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL USE x
x OF WATER EXISTING PRIOR TO JULY 1, 1973. x
x x
x THE USE OF THIS WATER APPEARS TO BE LARGELY x
x NON-CONSUMPTIVE. x
x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,801

WATER RIGHT NUMBER 4001-W-076918-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 25, 1960
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 69.40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEAS
01 S2SENE 22 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM S2SENE 22 27N 38E VALLEY

RESERVOIR/LAKE NAME: DEEP CUT RESERVOIR
CAPACITY: 373.4 AC-FT DAM HEIGHT: 30 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO SWSNW SEC 23 TWP 27N RGE 38E
VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT IN THE CLAIM
FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENE 22 27N 38E VALLEY

* N 20

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,802

WATER RIGHT NUMBER 400-W-076918-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076917-00, W076918-00, W076919-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,803

WATER RIGHT NUMBER 4002-W-076919-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 26 1960
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: AG. OF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 S2SENE 22 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM S2SENE 22 27N 38E VALLEY

RESERVOIR/LAKE NAME: DEEP CUT RESERVOIR
CAPACITY: 333.4 AC-FT DAM HEIGHT: 30 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE SWSWNW SEC 23 TWP 27N RGE 38E
VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT IN THE CLAIM
FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

SENE 22 27N 38E VALLEY

* A 21

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,804

WATER RIGHT NUMBER 400-W-076919-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076917-00, W076918-00, W076919-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

03/31/95
PAGE 2,805
PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 400-W-076920-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: COYOTE CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 13, 1960
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 520.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NWNSE 24 27N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM NWNSE 24 27N 38E VALLEY

RESERVOIR LAKE NAME: JANUARY RESERVOIR
CAPACITY: 556.3 AC-FT DAM HEIGHT: 33 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO NENESW SEC 24 TWP 27N RGE 38E
VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT IN THE CLAIM
FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR FLOOD CONTROL:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001
002

W2SWNE 24 27N 38E VALLEY
E2SEW 24 27N 38E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,006

WATER RIGHT NUMBER 400-W-076920-00 (CONTINUED)

PLACE OF USE CONTINUED:

003
004

MMWSE 24 27N 38E VALLEY
MMESW 24 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076920-00, W076921-00, W076922-00.

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
1 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
1 UNRESOLVED IF NO OBJECTIONS ARE FILED.
1
1
1
1
1 THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL USE
1 OF WATER EXISTING PRIOR TO JULY 1, 1973.
1
1
1 THE USE OF THIS WATER APPEARS TO BE LARGELY
1 NON-CONSUMPTIVE.
1
1
1

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANCES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA DML) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,807

WATER RIGHT NUMBER: 4001-W-076921-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: COYOTE CREEK
SOURCE TYPE: SURFACE WATER
* PRIORITY DATE: OCTOBER 13, 1960
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

VOLUME: 115.02 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NWNWSE 24 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NWNWSE 24 27N 38E VALLEY

RESERVOIR/LAKE NAME: JANUARY RESERVOIR
CAPACITY: 556.3 AC-FT DAM HEIGHT: 33-FT SURFACE AREA: 686ES

THE DAM EXTENDS INTO NENESW SEC 24 TWP 27N RGE 38E
VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT IN THE CLAIM
FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

686ES LOI BLK QTR SEC SEC TWP RGE COUNTY

001 W2SWNE 24 27N 38E VALLEY
002 E2SE 24 27N 38E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,908

WATER RIGHT NUMBER 400-W-076921-00 (CONTINUED)

PLACE OF USE CONTINUED:

003
004

NW1/4 24 27N 38E VALLEY
NE1/4 24 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076920-00, W076921-00, W076922-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,809

WATER RIGHT NUMBER: 4003-W-076922-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: CODY E CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 13, 1960
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNWSE 24 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWNWSE 24 27N 38E VALLEY

RESERVOIR/LAKE NAME: JANUARY RESERVOIR
CAPACITY: 556.2 AC-FT DAM HEIGHT: 33 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE NENESW SEC 24 TWP 27N RGE 38E VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 W2SWNE 24 27N 38E VALLEY
002 E2SENE 24 27N 38E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,810

WATER RIGHT NUMBER 400-W-076922-00 (CONTINUED)

PLACE OF USE CONTINUED:

003	NW1/4	24	27N	30E	VALLEY
004	NENESM	24	27N	30E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076920-00, W076921-00, W076922-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,811

WATER RIGHT NUMBER 400-W-076923-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF COYOTE CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: SEPTEMBER 10, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NENWNE	24	27N	38E	VALLEY	DAM	

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	DOWNSTREAM	NENWNE	24	27N	38E	VALLEY	

RESERVOIR/LAKE NAME: SEAGULL RESERVOIR

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SWSESE	13	27N	38E	VALLEY	
002				NENWNE	24	27N	38E	VALLEY	
003				NWNWNE	24	27N	38E	VALLEY	

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,012

WATER RIGHT NUMBER 400-V-076923-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076923-00, W076924-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
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TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,813

WATER RIGHT NUMBER 400-W-076924-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON NOTICE OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF COYOTE CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: SEPTEMBER 10, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENWNE 24 27N 30E VALLEY DAN

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENWNE 24 27N 30E VALLEY

RESERVOIR/LAKE NAME: SEAGULL RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSESE 13 27N 30E VALLEY
002 NENWNE 24 27N 30E VALLEY
003 NWNWNE 24 27N 30E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,814

WATER;RIGHT;NUMBER;400;W-076924-00;(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076923-00, W076924-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,815

WATER RIGHT NUMBER 4002-V-076925-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF SAGE MEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 21, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
O1 W2SENW 25 27N 38E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
O1 ONSTREAM W2SENW 25 27N 38E VALLEY
RESERVOIR/LAKE NAME: SUNFISH RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
O01 W2SENW 25 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* M 21

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,016

WATER RIGHT NUMBER 400-W-076925-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076925-00, W076926-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,817

WATER RIGHT NUMBER 400-W-076926-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 21, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSYSTEM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QIR SEC SEC TWP RGE COUNTY MEANS
01 W25ENW 25 27N 38E VALLEY PIT

RESERVOIR:

QIR SEC SEC TWP RGE COUNTY
01 ONSYSTEM W25ENW 25 27N 38E VALLEY

RESERVOIR/LAKE NAME: SUNFISH RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LOI BLK QIR SEC SEC TWP RGE COUNTY
001 W25ENW 25 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,818

WATER RIGHT NUMBER 4001-V-076926-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076925-00, W076926-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-524-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,819

WATER RIGHT NUMBER 400g-# 976927-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS GRANTED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY. UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 3630
BILLINGS 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK
SOURCE TYPE: SURFACE

PRIORITY DATE: FEBRUARY 28, 1947
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 5.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY TEBUS
01 NWNE 26 27N 38E VALLEY CAM
RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 DOWNSTREAM NWNE 26 27N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNE 26 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,820

WATER RIGHT NUMBER 400-W-076927-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076927-00, W076928-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
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* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,821

WATER RIGHT NUMBER 400-W-076928-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1947
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 MNENE 26 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM MNENE 26 27N 38E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 MNENE 26 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,822

WATER RIGHT NUMBER 400-W-076928-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076927-00, W076928-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,823

WATER:RIGHT:NUMBER:400:--W-076929-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 22, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNESE 27 27N 38E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNESE 27 27N 38E VALLEY
RESERVOIR/LAKE NAME: CRAPPIE RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNESE 27 27N 38E VALLEY

REMARKS:

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03/31/95
PAGE 2,824

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 4001-W-076929-001 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076929-00, W076930-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
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TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,825

WATER RIGHT NUMBER 400-W-076930-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 22, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNESE 27 27N 38E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNESE 27 27N 38E VALLEY

RESERVOIR/LAKE NAME: CRAPPIE RESERVOIR

* PLACE OF USE FOR STOCK:

001 SWNESE 27 27N 38E VALLEY
001 SWNESE 27 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* H 22

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,826

WATER RIGHT NUMBER 4001-W-076930-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076929-00, W076930-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,827

WATER RIGHT NUMBER: 400 - W-076931-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.10 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 S2SWSW 27 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM S2SWSW 27 27N 38E VALLEY
RESERVOIR/LAKE NAME: JAN RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 S2SWSW 27 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* J 22

03/31/95
PAGE 2,828

REMARKS CONTINUED:

THE WATER RIGHT - RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076931-00, W076932-00.

 z THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS z
 z EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN z
 z UNRESOLVED IF NO OBJECTIONS ARE FILED. z

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,829

WATER RIGHT NUMBER 400-W-076932-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC 1/4 SEC 1/4 SEC 1/4 SEC 1/4 COUNTY MEANS
01 S25WSW 27 27N 30E VALLEY DAM

RESERVOIR:

QTR SEC SEC 1/4 SEC 1/4 SEC 1/4 SEC 1/4 COUNTY
01 ONSTREAM S25WSW 27 27N 30E VALLEY

RESERVOIR/LAKE NAME: JAN RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC 1/4 SEC 1/4 SEC 1/4 SEC 1/4 COUNTY
001 S25WSW 27 27N 30E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,830

WATER RIGHT NUMBER 400-W-076932-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076931-00, W076932-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,831

WATER RIGHT NUMBER: 001-V-076933-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSENE 29 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSENE 29 27N 38E VALLEY

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSENE 29 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,892

WATER RIGHT NUMBER 400-W-076933-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076933-00, W076934-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/96
PAGE 2,833

WATER RIGHT NUMBER 4003-W-076934-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE(USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK Q18 SEC SEC TWP RGE COUNTY MEANS
01 SWSENE 29 27N 30E VALLEY DAM

RESERVOIR:

Q1P SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSENE 29 27N 30E VALLEY

PLACE OF USE FOR WILDLIFE:

Q1P SEC SEC TWP RGE COUNTY
01 SWSENE 29 27N 30E VALLEY

REMARKS:

* WATER RIGHTS LISTED FOLLOWING THE STATEMENT ARE
* SAME USES OF THE SAME RIGHT. THE USE OF THE RIGHT
* FOR OTHER PURPOSES DOES NOT INCREASE THE AMOUNT OF

PRELIMINARY DECREE
MILE 1.1/2R BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN AND
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,834

WATER RIGHT NUMBER: W-076934-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076933-00, W076934-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE COM. DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
UNITED RIGHT IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE). THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR IRRIGATION, FISH AND
WILDLIFE, EXCEPT THROUGH A WRITING RIGHT STATUTE."

BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE COM'S EXAMINATION RESULTS AND RELATED MATTERS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY MAILING
1-800-624-2770 (WITHIN MONTANA) OR BY PHONE AT 406-586-4364, OR BY WRITING TO:
P. O. BOX 800, BOZEMAN MT 59711-0800.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2.835

WATER RIGHT NUMBER 400-W-076935-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: MILLER COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 01, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK Q18 SEC SEC TWP RGE COUNTY MEANS
01 (GOVT) 1 SENWNW 30 27N 38E VALLEY DAM/PIT

RESERVOIR:

Q18 SEC SEC TWP RGE COUNTY
01 DNSTREAM SENWNW 30 27N 38E VALLEY
RESERVOIR/LAKE NAME: THUNDERHEAD PIT RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LOT BLK Q18 SEC SEC TWP RGE COUNTY
001 (GOVT) 1 SENWNW 30 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,836

WATER RIGHT NUMBER 400-W-076935-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076935-00, W076936-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,837

WATER RIGHT NUMBER 400-W-076936-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: MILLER COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 01, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.51 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 (GOUT) 1 SENWNW 30 27N 38E VALLEY DAM/PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENWNW 30 27N 38E VALLEY

RESERVOIR/LAKE NAME: THUNDERHEAD PIT RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 (GOUT) 1 SENWNW 30 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,838

WATER RIGHT NUMBER 400-W-076936-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076935-00, W076936-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,839

WATER RIGHT NUMBER 400-W-076937-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MILLER COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1871
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY DEANS
01 (GOUT) 1 NW 31 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NW 31 27N 38E VALLEY
RESERVOIR/LAKE NAME: BUZZ RETENTION RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 (GOUT) 1 NW 31 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,840

WATER RIGHT NUMBER 400-W-076937-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076937-00, W076938-00.

1 THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2
2 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 2

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,841

WATER RIGHT NUMBER: 400-11-076938-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MILLER COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 5.10 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK Q18 SEC SEC TWP RGE COUNTY MEANS
01 (GOVT) 1 NW 31 27N 38E VALLEY DAM

RESERVOIR:

Q18 SEC SEC TWP RGE COUNTY
01 ONSTREAM NW 31 27N 38E VALLEY
RESERVOIR/LAKE NAME: BUZZ RETENTION RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK Q18 SEC SEC TWP RGE COUNTY
001 (GOVT) 1 NW 31 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,842

WATER RIGHT NUMBER 400-W-076938-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076937-00, W076938-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 349 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,843

WATER RIGHT NUMBER 400 W-076939-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 01, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		NNW	NNW	E	32	27N	38E	VALLEY DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		ONSTREAM	NNW	NNW	E	32	27N 38E VALLEY

RESERVOIR/LAKE NAME: ROBIN RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001		NNW	NNW	E	32	27N	38E	VALLEY
002		NNW	NNW	E	32	27N	38E	VALLEY

REMARKS:

03/31/95
PAGE 2,844

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREAS THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1980) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE. EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, CAN PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED ALSO, YOUR WATER RIGHT MAY BE SUBJECT, TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-506-4364, OR BY WRITING TO P.O. BOX 8779, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,845

WATER RIGHT NUMBER 400 - W-076940-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN asterisk (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-733, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 01, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 N4N4NE 32 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM N4N4NE 32 27N 38E VALLEY
RESERVOIR/LAKE NAME: ROBIN RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 N4N4NE 32 27N 38E VALLEY
002 N4N4NE 32 27N 38E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,846

WATER RIGHT NUMBER 4003-W-076940-003 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076939-00, W076940-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,847

WATER RIGHT NUMBER: 400-W-076941-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 04, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 E2NESE 34 27N 30E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 DOWNSTREAM E2NESE 34 27N 30E VALLEY

RESERVOIR/LAKE NAME: BIG FORK RESERVOIR
CAPACITY: 233.0 AC-FT DAM HEIGHT: 17 FT SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001
002

SWEENE 34 27N 30E VALLEY
NESE 34 27N 30E VALLEY

REMARKS:

* 0 23

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,848

WATER RIGHT NUMBER 4002-W-076941-002 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076941-00, W076942-00, W076943-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3272 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,949

WATER RIGHT NUMBER 14001-W-076942-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 04, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 30.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK. QTR. SEC. 36.0 IWP. BGE. COUNTY MEANS
01 ENESE 34 27N 38E VALLEY DAM

RESERVOIR:

QTR. SEC. 36.0 IWP. BGE. COUNTY
01 ANSTPEAR FANUSE 34 27N 38E VALLEY

RESERVOIR NAME: BIG FORK RESERVOIR
CAPACITY: 253,000 AC-FT DAM HEIGHT: 17.51 SURFACE AREA: 1000 ACRES

SEE THE MONTANA WATER RIGHTS BOARD DAM INVENTORY
WORKSHEET IN THE CLARK FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE: WILDLIFE:

1000 ACRES LOT BLK. QTR. SEC. 36.0 IWP. BGE. COUNTY

001 SENSE 34 27N 38E VALLEY
002 NESE 34 27N 38E VALLEY

REMARKS:

* B 24

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,850

WATER RIGHT NUMBER 400-V-076942-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076941-00, W076942-00, W076943-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,851

WATER RIGHT NUMBER 400-W-076943-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 04, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 262.40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 E2NESE 34 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM E2NESE 34 27N 38E VALLEY

RESERVOIR/LAKE NAME: BIG FORK RESERVOIR
CAPACITY: 293.0 AC-FT DAM HEIGHT: 17 FT SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR FLOOD CONTROL:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SWSENE 34 27N 38E VALLEY
002 E2NESE 34 27N 38E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,852

WATER RIGHT NUMBER 400-W-076943-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076941-00, W076942-00, W076943-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL x
x USE OF WATER EXISTING PRIOR TO JULY 1, 1973. x
x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,853

WATER RIGHT NUMBER 4001-W-076944-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 13, 1951
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01								NENESE 35 27N 38E VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	DNSTREAM						NENESE 35 27N 38E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001									NENESE 35 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,854

WATER RIGHT NUMBER 4001-W-076944-001 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076944-00, W076945-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x x x x
x RESERVOIR APPEARS WASHED OUT ON 1979 USDA AERIAL x
x PHOTOGRAPH NO. 179-180, DATED 8-17-79. x
x x x x x x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-634-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,855

WATER RIGHT NUMBER 400-W-076945-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 13, 1951
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENESE 35 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENESE 35 27N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NENESE 35 27N 38E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,856

WATER:RIGHT:NUMBER:400-W-076945-00:(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076944-00, W076945-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* RESERVOIR APPEARS WASHED OUT ON 1979 USDA AERIAL *
* PHOTOGRAPH NO. 179-180, DATED 6-17-79. *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,857

WATER RIGHT NUMBER 400-X-V-076946-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SE	SE	SW	04	27N	39E	VALLEY PIT

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		ON	ST	RM			

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SE	SE	SW	04	27N	39E VALLEY
002			NE	NE	SW	09	27N	39E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,858

WATER RIGHT NUMBER 400 W-076946-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076946-00, W076947-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x
x x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,059

WATER RIGHT NUMBER 400-W-076947-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE. THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESESW 04 27N 39E VALLEY PIT
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SESESW 04 27N 39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESESW 04 27N 39E VALLEY
002 NENEW 09 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,860

WATER RIGHT NUMBER 400-V-075947-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076946-00, W076947-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,861

WATER RIGHT NUMBER 400-W-076948-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1973
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 (GOVT) 4 NWNEW 04 27N 39E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWNEW 04 27N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 (GOVT) 4 NWNEW 04 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,862

WATER RIGHT NUMBER 400-W-076948-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076948-00, W076949-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,863

WATER RIGHT NUMBER 400-W-076949-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1973
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR SEC	SEC TWP	RGE	COUNTY	MEANS
01	(GOUT)	4	NWNEW	04	27N 39E	VALLEY PIT

RESERVOIR:

	QTR SEC	SEC TWP	RGE	COUNTY	
01	ONSTREAM	NWNEW	04	27N 39E	VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT BLK	QTR SEC	SEC TWP	RGE	COUNTY
001	(GOUT)	4	NWNEW	04	27N 39E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,864

WATER RIGHT NUMBER 400-V-076949-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
WO76948-00, WO76949-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 979, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,865

WATER RIGHT NUMBER 400 - W-076950-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 30, 1973
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSWNW 09 27N 39E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSWNW 09 27N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSWNW 09 27N 39E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,866

WATER RIGHT NUMBER 400-W-076950-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076950-00, W076951-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,867

WATER RIGHT NUMBER 400-W-076951-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON NOTICE OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 30, 1973
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01 NWSNW 09 27N 39E VALLEY	PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSNW 09 27N 39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001	NWSNW 09 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,868

WATER RIGHT NUMBER 400-W-076951-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076950-00, W076951-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,869

WATER RIGHT NUMBER 400-W-076952-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNER: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

- * PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED
- * FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESESE 09 27N 39E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESESE 09 27N 39E VALLEY
RESERVOIR/LAKE NAME: DIVIDE RETENTION RESERVOIR

- * PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESESE 09 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,870

WATER RIGHT NUMBER 400-W-076952-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076952-00, W076953-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,871

WATER RIGHT NUMBER 400-W-076953-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESESE 09 27N 39E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM NESESE 09 27N 39E VALLEY
RESERVOIR/LAKE NAME: DIVIDE RETENTION RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOI BLK QTR SEC SEC TWP RGE COUNTY
001 NESESE 09 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,872

WATER RIGHT NUMBER 400- W-076953-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076952-00, W076953-00.

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
3 UNRESOLVED IF NO OBJECTIONS ARE FILED. *
4 * * * * *
5 * * * * *
6 THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
7 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
8 AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
9 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
10 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
11 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
12 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
13 * * * * *
14 *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-596-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,873

WATER RIGHT NUMBER 400-W-076954-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

DWBS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----
01 NENESW 15 27N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NENESW 15 27N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NENESW 15 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,874

WATER RIGHT NUMBER 400-W-076954-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076954-00, W076955-00.

2 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
2 UNRESOLVED IF NO OBJECTIONS ARE FILED.
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2 THERE IS A QUESTION AS TO THE VALIDITY OF THIS
2 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
2 AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
2 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
2 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
2 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
2 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
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2

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/35
PAGE 2,675

WATER RIGHT NUMBER 400-W-076955-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	NENESW 15 27N 39E VALLEY	DAM

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM	NENESW 15 27N 39E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001	NENESW 15 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,876

WATER RIGHT NUMBER 400-W-076955-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076954-00, W076955-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,877

WATER RIGHT NUMBER 400-W-076956-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1969
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 1.18 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	NENESW 18 27N 39E VALLEY	DAM

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM	NENESW 18 27N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001	NENESW 18 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

2/21/95
PAGE 2,878

WATER RIGHT NUMBER 400E-W-076956-NOT CONTINUED

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREE THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076956-00, W076957-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,879

WATER RIGHT NUMBER 1400-W-076957-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1969
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENESW 18 27N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENESW 18 27N 39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NENESW 18 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,880

WATER RIGHT NUMBER 400-W-076957-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076956-00, W076957-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
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P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,881

WATER RIGHT NUMBER: 400-W-076958-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 24, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----

01 SWNW 20 27N 39E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SWNW 20 27N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SENENE 19 27N 39E VALLEY
002 SWNW 20 27N 39E VALLEY

REMARKS:

THE LATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,882

WATER RIGHT NUMBER 400-W-076958-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076958-00, W076959-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *

* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 873, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER: 400-W-076959-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 24, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNW 20 27N 39E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNW 20 27N 39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENENE 19 27N 39E VALLEY
002 SWNW 20 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,884

WATER RIGHT NUMBER 400-W-076959-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076959-00. W076959-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,885

WATER RIGHT NUMBER 400-4-076960-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

- * PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED
- * FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DOWNSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNE 22 27N 39E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWNSTREAM SWNE 22 27N 39E VALLEY
RESERVOIR/LAKE NAME: WEST FORK RESERVOIR

- * PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNE 22 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076960-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076960-00, W076961-00.

: THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS :
: EXAMINATION OF THIS WATER RIGHT CLAIM - THESE ISSUES MAY REMAIN :
: UNRESOLVED IF NO OBJECTIONS ARE FILED - :
: :
: :
: :
: THERE IS A QUESTION AS TO THE VALIDITY OF THIS :
: CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE :
: AREA, 234 MONT. 349 (1988) (THE BEAN LAKE CASE) THE :
: MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE :
: THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION :
: RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND :
: WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." :
: :
: :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59717-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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PAGE 2,887

WATER RIGHT NUMBER 400-W-076961-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN QUESTION BY THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01						SWNENE 22 27N 39E VALLEY	PIT

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM						SWNENE 22 27N 39E VALLEY

RESERVOIR/LAKE NAME: WEST FORK RESERVOIR

* PLACE OF USE FOR STOCK:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001								SWNENE 22 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT - THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER 400-1-076961-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076960-00, W076961-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 679, BOZEMAN MT 59711-0979.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,889

WATER RIGHT NUMBER 400-M-076962-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 30, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENWNE 27 27N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENWNE 27 27N 39E VALLEY
THE DAM EXTENDS INTO THE SEWSSE SEC 22 TWP 27N RGE 39E
VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SEWSSE 22 27N 39E VALLEY
002 NENWNE 27 27N 39E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,890

WATER RIGHT NUMBER 400 W-076962-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076962-00, W076963-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 679, BOZEMAN MT 59721-0679.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,891

WATER RIGHT NUMBER: 400-W-076963-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 65-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 30, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 1.44 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK Q1B SEC SEC 1WP RGE COUNTY MEANS
01 NENWNE 27 27N 39E VALLEY DAM

RESERVOIR:

Q1B SEC SEC 1WP RGE COUNTY
01 ONSTREAM NENWNE 27 27N 39E VALLEY
THE DAM EXTENDS INTO SESWSE SEC 22 TWP 27N RGE 39E
VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK Q1B SEC SEC 1WP RGE COUNTY
001 SESWSE 22 27N 39E VALLEY
002 NENWNE 27 27N 39E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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PAGE 2,892

WATER RIGHT NUMBER 400-W-076963-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076962-00, W076963-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 4001-W-076964-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF COYOTE CREEK
SOURCE TYPE: SURFACE WATER

ESTABLISHED DATE: JULY 16, 1951
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 S2SESE 30 27N 39E VALLEY DN

RESERVOIR:

LOT BLK QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM S2SESE 30 27N 39E VALLEY

RESERVOIR/LAKE NAME: BLANCHARD RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 S2SESE 30 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,894

WATER RIGHT NUMBER 400-W-076964-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076964-00, W076968-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

02/31/95
PAGE 2,895

WATER RIGHT NUMBER 400-W-076965-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF COYOTE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 16, 1942
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01	(GOUT)	4	SWSWSW	30	27N	39E	VALLEY	DAM	

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	SWSWSW	30	27N	39E	VALLEY	

RESERVOIR/LAKE NAME: UR-105 RESERVOIR

* PLACE OF USE FOR STOCK:

		LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001	(GOUT)	4	SWSWSW	30	27N	39E	VALLEY		

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* C 27

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,896

WATER RIGHT NUMBER 400-W-076965-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076965-00, W076966-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,897

WATER RIGHT NUMBER: 400-W-076966-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF COYOTE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 16, 1942
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 (GOUT) 4 SWSWSW 30 27N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSWSW 30 27N 39E VALLEY

RESERVOIR/LAKE NAME: UR-105 RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 (GOUT) 4 SWSWSW 30 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,898

WATER RIGHT NUMBER 400-W-076966-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076965-00, W076966-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,899

WATER RIGHT NUMBER: 400-W-076967-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF COYOTE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 17.20 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 S2NENW 30 27N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM S2NENW 30 27N 39E VALLEY
CAPACITY: 18.0 AC-FT DAM HEIGHT: 15.5 FT SURFACE AREA: 3.75 ACRES

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN
ESTIMATED BY THE DNRC.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NENW 30 27N 39E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,900

WATER RIGHT NUMBER 400-W-076967-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076967-00, W076969-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
x
x
x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,901

WATER RIGHT NUMBER 400-W-076968-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF COYOTE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 16, 1951
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 7.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 S2SESE 30 27N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM S2SESE 30 27N 39E VALLEY
RESERVOIR/LAKE NAME: BLANCHARD RESERVOIR

* PLACE OF USE FOR WILDLIFE:

BCRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 S2SESE 30 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,902

WATER RIGHT NUMBER 400-W-076968-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076964-00, W076968-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,903

WATER RIGHT NUMBER: 400-W-076969-00

IMPORTANT NOTICE

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF COVOTE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 S2ENW 30 27N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM S2ENW 30 27N 39E VALLEY
CAPACITY: 18.0 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 3.75 ACRES

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN
ESTIMATED BY THE DNRC.

* PLACE OF USE EOB SIDCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NENW 30 27N 39E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,904

WATER RIGHT NUMBER 400-W-076969-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076967-00, W076969-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,905

WATER RIGHT NUMBER 400-W-076970-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

- * SOURCE: SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER
- * PRIORITY DATE: OCTOBER 13, 1960
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK Q18 SEC SEC TWP RGE COUNTY MEANS
01 E2SESW 32 27N 39E VALLEY DAM
RESERVOIR:

Q18 SEC SEC TWP RGE COUNTY
01 ONSTREAM E2SESW 32 27N 39E VALLEY

RESERVOIR/LAKE NAME: BLANCHARD DETENTION RESERVOIR
CAPACITY: 104.0 AC-FT DAM HEIGHT: 25 FT SURFACE AREA: ACRES

* PLACE OF USE FOR STOCK:

ACRES LOT BLK Q18 SEC SEC TWP RGE COUNTY
001 W2SWSE 32 27N 39E VALLEY
002 SESW 32 27N 39E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,906

WATER RIGHT NUMBER 400-W-076970-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076970-00, W076971-00, W076973-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER DELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,907

WATER RIGHT NUMBER 400-W-076971-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: SAGE HLN CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 13, 1960
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 51.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 E2SESW 32 27N 39E VALLEY DAM

RESERVOIR:

073 SEC SEC TWP RGE COUNTY

01 ONSTREAM E2SESW 32 27N 39E VALLEY

RESERVOIR/LAKE NAME: BLANCHARD DETENTION RESERVOIR
CAPACITY: 104.0 AC-FT DAM HEIGHT: 25 FT SURFACE AREA: ACRES

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 W2SWSE 32 27N 39E VALLEY
002 SESEW 32 27N 39E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,908

WATER RIGHT NUMBER 400-V-076971-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076970-00, W076971-00, W076973-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,909

WATER RIGHT NUMBER 400-U-076972-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: SEPTEMBER 09, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NE	SE	27N	39E	VALLEY	PIT

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM		NE	SE	27N	39E	VALLEY

RESERVOIR/LAKE NAME: BALDY PIT

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SE	NE	32	27N	39E	VALLEY
002				NE	SE	32	27N	39E	VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,910

WATER RIGHT NUMBER 400-W-076972-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076972-00, W076974-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,911

WATER RIGHT NUMBER 400-W-076973-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

- * SOURCE: SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER
- * PRIORITY DATE: OCTOBER 13, 1960
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 831.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01 E26SEW 32 27N 39E VALLEY	DAM

RESERVOIR:

LOT BLK QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM E26SEW 32 27N 39E VALLEY

RESERVOIR/LAKE NAME: BLANCHARD DETENTION RESERVOIR
CAPACITY: 109.0 AC-FT DAM HEIGHT: 25 FT SURFACE AREA: ACRES

- * PLACE OF USE FOR FLOOD CONTROL:

ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001 W26SWSE 32 27N 39E VALLEY	
002 SE5W 32 27N 39E VALLEY	

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,912

WATER RIGHT NUMBER 4005-W-076973-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076970-00, W076971-00, W076973-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL x
x USE OF WATER EXISTING PRIOR TO JULY 1, 1973. x
x x
x THE USE OF THIS WATER APPEARS TO BE LARGELY x
x NONCONSUMPTIVE. x
x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,913

WATER RIGHT NUMBER 4003-W-076974-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: SEPTEMBER 09, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.41 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESENW 32 27N 39E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESENW 32 27N 39E VALLEY
RESERVOIR/LAKE NAME: BALDY PIT

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 S2NEW 3P 27N 39E VALLEY
002 N2SEW 32 27N 39E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,914

WATER RIGHT NUMBER 400-W-076974-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076972-00, W076974-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,915

WATER RIGHT NUMBER: 400-W-076975-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JANUARY 31, 1973
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			W2NESW	33	27N	39E	VALLEY	DAM/PIT

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01			ONSTREAM		W2NESW	33	27N 39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001					W2NESW	33	27N 39E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,916

WATER RIGHT NUMBER 400 W-076975-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076975-00, W076976-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,917

WATER RIGHT NUMBER 400-U-076976-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JANUARY 31, 1973
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		W2	NESW	33	27N	39E	VALLEY	DAM/PIT

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		ONSTREAM		W2	NESW	33	27N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			W2	NESW	33	27N	39E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,918

WATER RIGHT NUMBER 14001-W-076976-001 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076975-00, W076976-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
x
x
x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,919

WATER RIGHT NUMBER: 4001-W-076977-00

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JANUARY 12, 1959
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SESWNW 34 27N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SESWNW 34 27N 39E VALLEY

THE DAM EXTENDS INTO THE SWSNW SEC 34 TWP 27N RGE 39E
VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SWSNW 34 27N 39E VALLEY
002 SESWNW 34 27N 39E VALLEY

REMARKS:

WATER RIGHT NO.

WATER RIGHT NO.

WATER RIGHT NO.

076768	A 01	076795	J 04	076822	D 08
076768	B 01	076795	K 04	076822	E 08
076769	C 01	076796	L 04	076823	F 08
076769	D 01	076796	M 04	076823	G 08
076770	E 01	076797	N 04	076824	H 08
076770	F 01	076797	O 04	076824	I 08
076771	G 01	076798	A 05	076825	J 08
076771	H 01	076798	B 05	076825	K 08
076772	I 01	076799	C 05	076826	L 08
076772	J 01	076799	D 05	076826	M 08
076773	K 01	076800	E 05	076827	N 08
076773	L 01	076800	F 05	076827	O 08
076774	M 01	076801	G 05	076828	A 09
076774	N 01	076801	H 05	076828	B 09
076775	O 01	076802	I 05	076829	C 09
076775	A 02	076802	J 05	076829	D 09
076776	B 02	076803	K 05	076830	E 09
076776	C 02	076803	L 05	076830	F 09
076777	D 02	076804	M 05	076831	G 09
076777	E 02	076804	N 05	076831	H 09
076778	F 02	076805	O 05	076832	I 09
076778	G 02	076805	A 06	076832	J 09
076779	H 02	076806	B 06	076833	K 09
076779	I 02	076806	C 06	076833	L 09
076780	J 02	076807	D 06	076834	M 09
076780	K 02	076807	E 06	076834	N 09
076781	L 02	076808	F 06	076835	O 09
076781	M 02	076808	G 06	076835	A 10
076782	N 02	076809	H 06	076836	B 10
076782	O 02	076809	I 06	076836	C 10
076783	A 03	076810	J 06	076837	D 10
076783	B 03	076810	K 06	076837	E 10
076784	C 03	076811	L 06	076838	F 10
076784	D 03	076811	M 06	076838	G 10
076785	E 03	076812	N 06	076839	H 10
076785	F 03	076812	O 06	076839	I 10
076786	G 03	076813	A 07	076840	J 10
076786	H 03	076813	B 07	076840	K 10
076787	I 03	076814	C 07	076841	L 10
076787	J 03	076814	D 07	076841	M 10
076788	K 03	076815	E 07	076842	N 10
076788	L 03	076815	F 07	076842	O 10
076789	M 03	076816	G 07	076843	A 11
076789	N 03	076816	H 07	076843	B 11
076790	O 03	076817	I 07	076844	C 11
076790	A 04	076817	J 07	076844	D 11
076791	B 04	076818	K 07	076845	E 11
076791	C 04	076818	L 07	076845	F 11
076792	D 04	076819	M 07	076846	G 11
076792	E 04	076819	N 07	076846	H 11
076793	F 04	076820	O 07	076847	I 11
076793	G 04	076820	A 08	076847	J 11
076794	H 04	076821	B 08	076848	K 11
076794	I 04	076821	C 08	076848	L 11

JSEQ=0007 BSEQ=0007 J5706021

WATER RIGHT NO.

WATER RIGHT NO.

WATER RIGHT NO.

076849	M 11	076876	G 15	076904	A 19
076849	N 11	076876	H 15	076904	B 19
076850	O 11	076877	I 15	076905	C 19
076850	A 12	076877	J 15	076905	D 19
076851	B 12	076878	K 15	076906	E 19
076851	C 12	076878	L 15	076906	F 19
076852	D 12	076879	M 15	076907	G 19
076852	E 12	076879	N 15	076907	H 19
076853	F 12	076880	O 15	076908	I 19
076853	G 12	076880	A 16	076908	J 19
076854	H 12	076881	B 16	076909	K 19
076854	I 12	076881	C 16	076909	L 19
076855	J 12	076882	D 16	076910	M 19
076855	K 12	076882	E 16	076910	N 19
076856	L 12	076883	F 16	076911	O 19
076856	M 12	076883	G 16	076911	A 20
076857	N 12	076884	H 16	076912	B 20
076857	O 12	076884	I 16	076912	C 20
076858	A 13	076885	J 16	076913	D 20
076858	B 13	076885	K 16	076913	E 20
076859	C 13	076886	L 16	076914	F 20
076859	D 13	076886	M 16	076914	G 20
076860	E 13	076887	N 16	076915	H 20
076860	F 13	076887	O 16	076915	I 20
076861	G 13	076888	A 17	076916	J 20
076861	H 13	076888	B 17	076916	K 20
076862	I 13	076889	C 17	076917	L 20
076862	J 13	076889	D 17	076917	M 20
076863	K 13	076890	E 17	076918	N 20
076863	L 13	076891	F 17	076918	O 20
076864	M 13	076892	G 17	076919	A 21
076864	N 13	076892	H 17	076919	B 21
076865	O 13	076893	I 17	076920	C 21
076865	A 14	076893	J 17	076920	D 21
076866	B 14	076894	K 17	076921	E 21
076866	C 14	076894	L 17	076921	F 21
076867	D 14	076895	M 17	076922	G 21
076867	E 14	076895	N 17	076922	H 21
076868	F 14	076896	O 17	076923	I 21
076868	G 14	076896	A 18	076923	J 21
076869	H 14	076897	B 18	076924	K 21
076869	I 14	076897	C 18	076924	L 21
076870	J 14	076898	D 18	076925	M 21
076870	K 14	076898	E 18	076925	N 21
076871	L 14	076899	F 18	076926	O 21
076871	M 14	076899	G 18	076926	A 22
076872	N 14	076900	H 18	076927	B 22
076872	O 14	076900	I 18	076927	C 22
076873	A 15	076901	J 18	076928	D 22
076873	B 15	076901	K 18	076928	E 22
076874	C 15	076902	L 18	076929	F 22
076874	D 15	076902	M 18	076929	G 22
076875	E 15	076903	N 18	076930	H 22
076875	F 15	076903	O 18	076930	I 22

JSEQ=0007 BSEQ=0007 J5706021

WATER RIGHT NO.

WATER RIGHT NO.

WATER RIGHT NO.

076931 J 22
 076931 K 22
 076932 L 22
 076932 M 22
 076933 N 22
 076933 O 22
 076934 A 23
 076934 B 23
 076935 C 23
 076935 D 23
 076936 E 23
 076936 F 23
 076937 G 23
 076937 H 23
 076938 I 23
 076938 J 23
 076939 K 23
 076939 L 23
 076940 M 23
 076940 N 23
 076941 O 23
 076941 A 24
 076942 B 24
 076942 C 24
 076943 D 24
 076943 E 24
 076944 F 24
 076944 G 24
 076945 H 24
 076945 I 24
 076946 J 24
 076946 K 24
 076947 L 24
 076947 M 24
 076948 N 24
 076948 O 24
 076949 A 25
 076949 B 25
 076950 C 25
 076950 D 25
 076951 E 25
 076951 F 25
 076952 G 25
 076952 H 25
 076953 I 25
 076953 J 25
 076954 K 25
 076954 L 25
 076955 M 25
 076955 N 25
 076956 O 25
 076956 A 26
 076957 B 26
 076957 C 26

076958 D 26
 076958 E 26
 076959 F 26
 076959 G 26
 076960 H 26
 076960 I 26
 076961 J 26
 076961 K 26
 076962 L 26
 076962 M 26
 076963 N 26
 076963 O 26
 076964 A 27
 076964 B 27
 076965 C 27
 076965 D 27
 076966 E 27
 076966 F 27
 076967 G 27
 076967 H 27
 076968 I 27
 076968 J 27
 076969 K 27
 076969 L 27
 076970 M 27
 076970 N 27
 076971 O 27
 076971 A 28
 076972 B 28
 076972 C 28
 076973 D 28
 076973 E 28
 076974 F 28
 076974 G 28
 076975 H 28
 076975 I 28
 076976 J 28
 076976 K 28
 076977 L 28

JSEQ=0007 BSEQ=0007 J5706021

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,920

WATER RIGHT NUMBER 400-W-076977-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076977-00, W076978-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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* A 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,921

WATER RIGHT NUMBER: 400-V-076978-00

IMPORTANT NOTICE

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OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JANUARY 12, 1959
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.11 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SE	SW	34	27N	39E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		ON	STREAM	SE	SW	34	27N 39E VALLEY

THE DAM EXTENDS INTO SWSENW SEC 34 TWP 27N RGE 39E VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SW	SE	34	27N 39E VALLEY	
002				SE	SW	34	27N 39E VALLEY	

REMARKS:

* B 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,922

WATER RIGHT NUMBER 400-V-076978-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076977-00, W076978-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT, IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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* C 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,923

WATER RIGHT NUMBER: 400g-W-076979-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

PRIORITY DATE: AUGUST 15, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 3.01 GPM

VOLUME: 4.44 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

01 NENE 35 27N 39E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NENE 35 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076979-00, W076980-00.

* D 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,924

WATER RIGHT NUMBER 400-W-076979-00 (CONTINUED)

REMARKS CONTINUED:

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THE POINT OF DIVERSION AND PLACE OF USE LEGAL LAND *
* DESCRIPTION COULD NOT BE REFINED TO A 10 ACRE *
* DESCRIPTION FROM INFORMATION IN THE CLAIM FILE. *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* VOLUME MAY BE EXCESSIVE. BASED ON THE FLOW RATE AND *
* PERIOD OF USE, THE SYSTEM WOULD HAVE TO RUN 21.9 *
* HOURS PER DAY TO DELIVER THE CLAIMED VOLUME. NO *
* INFORMATION EXISTS IN THE CLAIM FILE TO CONFIRM THIS *
* FIGURE. *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

* E 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2.925

WATER RIGHT NUMBER 400-W-076980-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

PRIORITY DATE: AUGUST 15, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 3.01 GPM

* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION:

----- LOT 1 BLK QIR SEC SEC TWP RGE COUNTY -----

01 NENE 35 27N 39E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT 1 BLK QIR SEC SEC TWP RGE COUNTY -----

001 NENE 35 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,926

WATER₂RIGHT₂NUMBER₂400₂-W-076980-00₂(CONTINUED)

REMARKS CONTINUED:

W076979-00, W076980-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THE POINT OF DIVERSION AND PLACE OF USE LEGAL LAND x
x DESCRIPTION COULD NOT BE REFINED TO A 10 ACRE x
x DESCRIPTION FROM INFORMATION IN THE CLAIM FILE. x
x x
x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,927

WATER RIGHT NUMBER 4003-W-076981-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

* PRIORITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 2.96 GPM

VOLUME: 4.18 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

01 SESENW 13 27N 40E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SESENW 13 27N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076981-00, W076982-00.

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REMARKS CONTINUED:

1 THERE IS A QUESTION AS TO THE VALIDITY OF THIS
2 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
3 AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
4 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
5 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
6 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
7 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

* VOLUME MAY BE EXCESSIVE. BASED ON THE FLOW RATE AND
* PERIOD OF USE, THE SYSTEM WOULD HAVE TO RUN 20.1
* HOURS PER DAY TO DELIVER THE CLAIMED VOLUME. NO
* INFORMATION EXISTS IN THE CLAIM FILE TO CONFIRM THIS
* FIGURE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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* I 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,929

WATER RIGHT NUMBER: 400g-W-076982-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

* PRIORITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 2.96 GPM

* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY
01 SESENW 13 27N 40E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESENW 13 27N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,930

WATER RIGHT NUMBER 400-W-076982-00 (CONTINUED)

REMARKS CONTINUED:

W076981-00, W076982-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

* K 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,931

WATER RIGHT NUMBER 400-W-076983-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 30, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QIR SEC SEC IWP RGE COUNTY ----- MEANS
01 NWNE 25 28N 35E VALLEY DAM
RESERVOIR:

----- QIR SEC SEC IWP RGE COUNTY -----
01 ONSTREAM NWNE 25 28N 35E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QIR SEC SEC IWP RGE COUNTY -----
001 NWNE 25 28N 35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* L 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,932

WATER RIGHT NUMBER 400-W-076983-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. FATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076983-00, W076984-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,933

WATER RIGHT NUMBER 400-W-076984-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 30, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01							NWNE	25 28N 35E VALLEY DAM

RESERVOIR:

LOI	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
01							NWNE	25 28N 35E VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOI	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001							NWNE	25 28N 35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* N 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,934

WATER RIGHT NUMBER 400-W-076984-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076983-00, W076984-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,935

WATER RIGHT NUMBER 400-W-076985-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 12, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 19.40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01				NESENE	26	28N	35E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM			NESENE	26	28N 35E VALLEY

RESERVOIR/LAKE NAME: EDNA RETENTION RESERVOIR
CAPACITY: 20.0 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 4.00 ACRES

THE DAM EXTENDS INTO THE SENENE SEC 26 TWP 28N RGE 35E
VALLEY COUNTY.

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

THE SURFACE AREA AND DAM HEIGHT HAVE BEEN ESTIMATED
BY DNRC.

* PLACE OF USE FOR WILDLIFE:

* A 02

03/31/95
PAGE 2,936

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076985-00 (CONTINUED)

PLACE OF USE CONTINUED:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001					S2	NENE	26	28N	35E VALLEY
002					N2	SENE	26	28N	35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076985-00, W076986-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,937

WATER RIGHT NUMBER 400-W-076986-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 12, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESENE 26 28N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESENE 26 28N 35E VALLEY

RESERVOIR/LAKE NAME: EDNA RETENTION RESERVOIR
CAPACITY: 27.0 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 4.00 ACRES

THE DAM EXTENDS INTO THE NESENE SEC 26 TWP 28N RGE 35E
VALLEY COUNTY

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

THE SURFACE AREA AND DAM HEIGHT HAVE BEEN ESTIMATED
BY DNRC.

* PLACE DE USE FOR STOCK:

* C 02

PRELIMINARY DECREE
MILK RIVER, BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,938

WATER RIGHT NUMBER 400-W-076986-00 (CONTINUED)

PLACE OF USE CONTINUED:

ACRES	LOT	BLK	QTR	SEC	TWP	RGE	COUNTY
001				32WENE	26	26N	35E VALLEY
002				N25ENE	26	26N	35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076985-00, W076986-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,939

WATER RIGHT NUMBER 400-W-076987-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 19, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DEC'ED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.88 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENESW 01 28N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
U: ONSTREAM NENESW 01 28N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 N2NENSW 01 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,940

WATER RIGHT NUMBER 400-W-076987-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076987-00, W076988-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
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* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,941

WATER:RIGHT:NUMBER:400:W-076988-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 19, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 MEMESW 01 28N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM MEMESW 01 28N 36E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 M2MEMSW 01 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* G 02

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,942

WATER RIGHT NUMBER 400-W-076988-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076987-00, W076988-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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P.O. BOX 879, BOZEMAN MT 59711-0879.

* H 02

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,943

WATER RIGHT NUMBER: 400-W-076989-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

- * SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER
- * PRIORITY DATE: DECEMBER 31, 1969
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NWSENE 01 28N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NWSENE 01 28N 36E VALLEY

- * PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NWSENE 01 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* I 02

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,944

WATER:RIGHT:NUMBER:400:W-076989-00:(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076989-00, W076990-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

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TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,945

WATER RIGHT NUMBER 400-V-076990-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

- * SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER
- * PRIORITY DATE: DECEMBER 31, 1969
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.63 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSENE 01 28N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSENE 01 28N 36E VALLEY

- * PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSENE 01 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* K 02

03/31/95
PAGE 2,946

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076989-00. W076990-00.

 * THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS 2
 * EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 2
 * UNRESOLVED IF NO OBJECTIONS ARE FILED. 2

1 THERE IS A QUESTION AS TO THE VALIDITY OF THIS
2 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
3 AREA, 234 MONT. 343 (1980) (THE BEAN LAKE CASE) THE
4 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
5 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
6 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
7 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING P.O. BOX 624-3270 (WILMONT MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59717-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,947

WATER RIGHT NUMBER 400-W-076991-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 08, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSCREEN RESERVOIR.

VOLUME: 2.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01	(GOUT)	2		NE	02	28N	36E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSCEAM		NE	02	28N	36E VALLEY

THE DAM EXTENDS INTO THE SWSESW SEC 34 TWP 29N RGE 36E
VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001									
002		(GOUT)	2		NE	02	28N	36E	VALLEY
				SWSESW	34	29N	36E	VALLEY	

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,948

WATER RIGHT NUMBER 400-W-076991-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT, RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076991-00, W076992-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,949

WATER RIGHT NUMBER 400-W-076992-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DMRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 08, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 (GOUT) 2 NE 02 28N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NE 02 28N 36E VALLEY

THE DAM EXTENDS INTO THE SWSESW SEC 34 TWP 29N RGE 36E
VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 (GOUT) 2 NE 02 28N 36E VALLEY
002 SWSESW 34 29N 36E VALLEY

REMARKS:

* 0 02

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,950

WATER RIGHT NUMBER 400-W-076992-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076991-00, W076992-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

* A 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,951

WATER:RIGHT:NUMBER:400:W-076993-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 24, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 9.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01	(GOUT)	4		NW	02	28N	36E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM		NW	02	28N	36E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001	(GOUT)	4		NW	02	28N	36E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* B 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,952

WATER RIGHT NUMBER 400-W-076993-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076993-00, W076994-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X X X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X X X X

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

* C 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,953

WATER RIGHT NUMBER 400-W-076994-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 24, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01 (GOVT)	4		NW	02	28N	36E	VALLEY	DAM	

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM			NW	02	28N	36E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001 (GOVT)	4			NW	02	28N	36E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* D 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,954

WATER RIGHT NUMBER 400-W-076994-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076993-00, W076994-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,955

WATER RIGHT NUMBER: 4001-W-076995-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF HARDPAN COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 19, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 (GOUT) 3 NW 05 28N 36E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NW 05 28N 36E VALLEY

* PLACE OF USE ED? STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 (GOUT) 3 NW 05 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* F 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,956

WATER RIGHT NUMBER 400-W-076995-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076995-00, W076996-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER 'BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,957

WATER RIGHT NUMBER 400-W-076996-00

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF HARDPAN COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 19, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
T:TS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 (GOUT) 3 NW 05 28N 36E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
G1 ONSTREAM NW 05 28N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 (GOUT) 3 NW 05 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* H 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,958

WATER RIGHT NUMBER 400-W-076996-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076995-00, W076996-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IN _____ IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND _____ OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,959

WATER RIGHT NUMBER 400g-W-076997-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1942
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01	(GOVT)	15		SW	07	28N	36E	VALLEY DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM				SW	07	28N 36E VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001	(GOVT)	15		SW	07	28N	36E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,960

WATER RIGHT NUMBER 400-W-076997-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076997-00, W076998-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER, BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,961

WATER RIGHT NUMBER 400g-W-076998-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1942
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 9.46 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 (GOUT) 15 SW 07 28N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SW 07 28N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 (GOUT) 15 SW 07 28N 36E VALLEY

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,962

WATER RIGHT NUMBER 400-V-076998-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076997-00, W076998-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,963

WATER RIGHT NUMBER 400-W-076999-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

- * SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER
- PRIORITY DATE: JULY 13, 1963
TYPE OF HISTORICAL RIGHT: USE
- * FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 1.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENWSE 10 28N 36E VALLEY PIT
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENWSE 10 28N 36E VALLEY

- * PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENWSE 10 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,964

WATER RIGHT NUMBER 400-W-076999-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076999-00, W077000-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
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* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,965

WATER RIGHT NUMBER 400-W-077000-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF BRAYL CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 13, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENWSE 10 28N 36E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM SENWSE 10 28N 36E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENWSE 10 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,966

WATER₂RIGHT₂NUMBER₂400₂-W-077000-00₂(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076999-00, W077000-00.

* THE DMRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,967

WATER RIGHT NUMBER 4002-W-077001-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 08, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 4.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	NENWNE 11 28N 36E VALLEY	DAM

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01	DNSTREAM NENWNE 11 28N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001		NENWNE 11 28N 36E VALLEY

REMARKS:

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RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,968

WATER RIGHT NUMBER 400-V-077001-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077001-00, W077002-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE ARE *
* QUESTIONABLE. DOCUMENTATION TO SUPPORT THE TYPE OF *
* HISTORICAL RIGHT AND PRIORITY DATE WERE NOT SUBMITTED *
* WITH THIS CLAIM. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,969

WATER RIGHT NUMBER 400-W-07002-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 08, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01								NENWNE 11 28N 36E VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM						NENWNE 11 28N 36E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001								NENWNE 11 28N 36E VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,970

WATER\$RIGHT\$NUMBER\$400\$-W-077002-00\$(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077001-00, W077002-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE ARE *
* QUESTIONABLE. DOCUMENTATION TO SUPPORT THE TYPE OF *
* HISTORICAL RIGHT AND PRIORITY DATE WERE NOT SUBMITTED *
* WITH THIS CLAIM. *
* *
* *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95

PAGE 2,971

WATER RIGHT NUMBER 400-W-077003-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1940
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- BEANS -----
01 NWSEW 11 28N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NWSEW 11 28N 36E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NWSEW 11 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* G 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,972

WATER#RIGHT#NUMBER#400#-W-077003-00#(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077003-00, W077004-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

* H 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,973

WATER RIGHT NUMBER 400-W-077004-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1940
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 NWSEW 11 28N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM NWSEW 11 28N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NWSEW 11 28N 36E VALLEY

BENEFITS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* I 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,974

WATER RIGHT NUMBER W-077004-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077003-00, W077004-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,975

WATER RIGHT NUMBER: 400-W-07005-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 3.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 MNWENE 12 28N 36E VALLEY PIT
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM MNWENE 12 28N 36E VALLEY
RESERVOIR/LAKE NAME: AMITA RETENTION RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 MNWENE 12 28N 36E VALLEY
REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* K 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,976

WATER RIGHT NUMBER 400S-W-077005-00S (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077005-00, W077006-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE DEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR -406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

* L 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,977

WATER RIGHT NUMBER 400 - W-077006-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK AIR SEC SEC TWP RGE COUNTY MEANS -----
01 NWNE 12 28N 36E VALLEY PIT

RESERVOIR:

----- AIR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NWNE 12 28N 36E VALLEY

RESERVOIR/LAKE NAME: ANITA RETENTION RESERVOIR

* PLACE OF USE EDR SIDCK:

----- ACRES ----- LOT BLK AIR SEC SEC TWP RGE COUNTY -----
001 NWNE 12 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* M 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,978

WATER RIGHT NUMBER 400-W-077006-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077005-00, W077006-00.

* THE DMRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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P.O. BOX 879, BOZEMAN MT 59771-0879.

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03/31/95
PAGE 2,979

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-077007-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 07, 1968
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01 SENW 13 28N 36E VALLEY	Df=1

RESERVOIR:

LOT BLK QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENW 13 28N 36E VALLEY

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENW 13 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,980

WATER RIGHT NUMBER 400-W-077007-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077007-00, W077008-00.

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*****
* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS      *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN  *
* UNRESOLVED IF NO OBJECTIONS ARE FILED.                          *
*                                                                    *
*                                                                    *
* EXISTENCE OF THE CLAIMED RESERVOIR CANNOT BE                   *
* CONFIRMED WITH AVAILABLE DATA.                                 *
*                                                                    *
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,981

WATER RIGHT NUMBER 400-W-077008-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 07, 1968
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 3.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 SENW 13 28N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM SENW 13 28N 36E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SENW 13 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,982

WATER RIGHT NUMBER 400-W-077008-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077007-00, W077008-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* EXISTENCE OF THE CLAIMED RESERVOIR CANNOT BE *
* CONFIRMED WITH AVAILABLE DATA. *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

* C 05

03/31/95
PAGE 2,983

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING POTCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 4002-V-077009-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: POT HOLE COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 22, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SWSNW	17	28N	36E	VALLEY	PIT	

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	SWSNW	17	28N	36E	VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SWSNW	17	28N	36E	VALLEY		
002			SESENE	18	28N	36E	VALLEY		

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

* D 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,984

WATER RIGHT NUMBER: 400g-W-077009-00g (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077009-00, W077010-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,985

WATER RIGHT NUMBER: 4003-W-077010-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: POT HOLE COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 22, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS
01 SWSNW 17 28N 36E VALLEY PIT

RESERVOIR: -----
QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWSNW 17 28N 36E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SESENE 17 28N 36E VALLEY
002 SWSNW 17 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

* F 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,986

WATER RIGHT NUMBER 400-W-077010-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
M077009-00, M077010-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,987

WATER RIGHT NUMBER: 400- W-077011-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36600
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIUTARY OF BRAZIL CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 04, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 11.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK AIR SEC SEC IWP BGE COUNTY ----- MEANS -----
01 (GOUT) 14 SW 18 28N 36E VALLEY DAM

RESERVOIR:

----- AIR SEC SEC IWP BGE COUNTY -----
01 ONSTREAM SW 18 28N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK AIR SEC SEC IWP BGE COUNTY -----
001 (GOUT) 14 SW 18 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,988

WATER RIGHT NUMBER 400-W-077011-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077011-00, W077012-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
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* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 349 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
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* *

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,989

WATER RIGHT NUMBER 400-07012-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 04, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

_____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____ MEANS
01 (GOVT) 14 SW 18 28N 36E VALLEY DAM
RESERVOIR:

_____ QTR SEC SEC TWP RGE COUNTY _____
01 ONSTREAM SW 18 28N 36E VALLEY

* PLACE OF USE FOR STOCK:

_____ ACRES _____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____
001 (GOVT) 14 SW 18 28N 36E VALLEY
REMARKS:

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MULTIPLE USES OF THE SAME RIGHT THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

* J 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,990

WATER RIGHT NUMBER: 400-W-077012-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077011-00, W077012-00.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,991

WATER RIGHT NUMBER 400-V-077013-00

IMPORTANT NOTICE

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 20, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	QIB SEC	SEC	TWP	RGE	COUNTY	MEANS
01		S44WSE	19	28N	36E	VALLEY DAM

RESERVOIR:

LOT	BLK	QIB SEC	SEC	TWP	RGE	COUNTY	
01		ONSTREAM	S44WSE	19	28N	36E	VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QIB SEC	SEC	TWP	RGE	COUNTY	
001				N44SE	19	28N	36E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,992

WATER RIGHT NUMBER 400-V-077013-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077013-00, W077014-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,993

WATER RIGHT NUMBER: 400-W-077014-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 20, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 S44W5E 19 28N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM S44W5E 19 28N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NW5E 19 28N 36E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

* N 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,994

WATER RIGHT NUMBER 400-W-077014-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077013-00, W077014-00.

2 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS 2
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 2
2 UNRESOLVED IF NO OBJECTIONS ARE FILED. 2
2 2
2 2
2 2
2 THERE IS A QUESTION AS TO THE VALIDITY OF THIS 2
2 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE 2
2 AREA, 294 MONT. 343 (1988) (THE BEAN LAKE CASE) THE 2
2 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE 2
2 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION 2
2 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND 2
2 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." 2
2 2
2 *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,995

WATER RIGHT NUMBER 4002-W-077015-CO

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. A-1 ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 06, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JUNE 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

101 BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSENE 23 28N 36E VALLEY PIT
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWSTREAM NWSENE 23 28N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES 101 BLK QTR SEC SEC TWP RGE COUNTY
001 NWSENE 23 28N 36E VALLEY
REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,996

WATER RIGHT NUMBER: 400-W-077015-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077015-00, W077016-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,997

WATER:RIGHT:NUMBER:400:W-077016-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36600
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 06, 1967
TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NWSENE	23	28N	36E	VALLEY	PIT

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01			NWSENE	23	28N	36E	VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			NWSENE	23	28N	36E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,998

WATER RIGHT NUMBER 400-M-077016-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
M077015-00, M077016-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,999

WATER:RIGHT:NUMBER:400:W-077017-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: BRAZIL CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 24, 1936
TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1,230.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT_BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 52SW 23 28N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM 52SW 23 28N 36E VALLEY

RESERVOIR/LAKE NAME: UR-2 RESERVOIR
CAPACITY: 1880.0 AC-FT DAM HEIGHT: 22 FT SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR FLOOD CONTROL:

ACRES LOT_BLK QTR SEC SEC TWP RGE COUNTY
001 52S2SW 14 28N 36E VALLEY
002 E2E2 23 28N 36E VALLEY
003 W2 23 28N 36E VALLEY

REMARKS:

* E 06

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,000

WATER:RIGHT:NUMBER:400g-W-077017-00g(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077017-00, W077018-00, W077019-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* * * * *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NON-CONSUMPTIVE. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,001

WATER:RIGHT:NUMBER:400:W-077018-00

IMPORTANT NOTICE

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: BRAZIL CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 24, 1936
TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 499.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 52SW 23 28N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM 52SW 23 28N 36E VALLEY

RESERVOIR LAKE NAME: UR-2 RESERVOIR
CAPACITY: 1800.0 AC-FT DAM HEIGHT: 22.51 SURFACE AREA: 80 ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001	52S25W	14	28N	36E	VALLEY
002	E2E2	23	28N	36E	VALLEY
003	W2	23	28N	36E	VALLEY

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

5/31/95
PAGE 3,002

WATER RIGHT NUMBER 4003-W-077018-003 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077017-00, W077018-00, W077019-00.

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* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
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* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1908) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59717-0879.

03/31/95
PAGE 3,003
PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 400-W-077019-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: BRAZIL CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 24, 1936
TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QIR SEC SEC IWP RGE COUNTY ----- MEANS -----

01 S25W 23 28N 36E VALLEY DAM

RESERVOIR:

----- QIR SEC SEC IWP RGE COUNTY -----

01 ONSTREAM S25W 23 28N 36E VALLEY

RESERVOIR LAKE NAME: UR-2 RESERVOIR
CAPACITY: 1880.0 AC-FT DAM HEIGHT: 22 FT SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QIR SEC SEC IWP RGE COUNTY -----

001	S2525W	14	28N	36E	VALLEY
002	E2E2	23	28N	36E	VALLEY
003	W2	23	28N	36E	VALLEY

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,004

WATER RIGHT NUMBER: 4002-W-077019-002 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077017-00, W077018-00, W077019-00.

X THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, X
X DATA, OR ISSUES TO REPORT TO THE WATER COURT. X

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-C879.

PRELIMINARY DECREE
MILA RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,005

WATER:RIGHT:NUMBER:400:W-077020-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 08, 1967
TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 SWSENE 24 28N 36E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SWSENE 24 28N 36E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWSENE 24 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,006

WATER RIGHT NUMBER 400-W-077020-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077020-00, W077021-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,007

WATER RIGHT NUMBER: 4002-W-077021-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 08, 1967
TYPE OF HISTORICAL RIGHT: USE

- * FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSENE 24 28N 36E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSENE 24 28N 36E VALLEY

- * PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSENE 24 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,008

WATER RIGHT NUMBER 400-W-077021-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077020-00, W077021-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59717-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,009

WATER RIGHT NUMBER 4008-W-07022-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 03, 1967
TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 cfs

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	SWSSE 28 28N 36E VALLEY	PIT

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM	SWSSE 28 28N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001	SWSSE 28 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

03/31/95
PAGE 3,010

REMARKS CONTINUED:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS #
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN #
UNRESOLVED IF NO OBJECTIONS ARE FILED. #

THERE IS A QUESTION AS TO THE VALIDITY OF THIS #
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE #
AREA, 234 MONTANA 343 (1986) THE NEARLY FIVE DECAD- #
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE #
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION #
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND #
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." #
#

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,011

WATER RIGHT NUMBER: 4003-W-077023-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 03, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSESE 28 28N 36E VALLEY PIT
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSESE 28 28N 36E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSESE 28 28N 36E VALLEY
BENDBKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,012

WATER RIGHT NUMBER: W-077023-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077022-00, W077023-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,013

WATER RIGHT NUMBER 4001-W-077024-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 04, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	QTR SEC	SEC TWP	RGE COUNTY	MEANS
01	NNNNW	28 28N	36E VALLEY	PIT

RESERVOIR:

LOT BLK	QTR SEC	SEC TWP	RGE COUNTY
01	NNNNW	28 28N	36E VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT BLK	QTR SEC	SEC TWP	RGE COUNTY
001	NNNNW	28 28N	36E VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,014

WATER RIGHT NUMBER 400-W-077024-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077024-00, W077025-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
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OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,015

WATER RIGHT NUMBER 400g-W-077025-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR ATTEMDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 04, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NW	NW	28	28N	36E	VALLEY PIT

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
01			NW	NW	28	28N	36E	VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			NW	NW	28	28N	36E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

* F 07

03/31/95
PAGE 3,016

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077024-00. W077025-00.

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* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
* EXAMINATION OF THIS WATER RIGHT CLAIM.  THESE ISSUES MAY REMAIN
* UNRESOLVED IF NO OBJECTIONS ARE FILED.
*
*
*
*
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS
* CLAIMED RIGHT.  IN THE MATTER OF THE DEARBORN DRAINAGE
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE
* MONTANA SUPREME COURT STATED:  "IT IS CLEAR AND APPARENT
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARING PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59717-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,017

WATER RIGHT NUMBER 400-11-077026-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 08, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----
01 SWSE 29 28N 36E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWSE 29 28N 36E VALLEY

RESERVOIR/LAKE NAME: DAYTON RETENTION RESERVOIR

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWSE 29 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

* H 07

03/31/95
PAGE 3,018

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077026-00. W077027-00.

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*****  
X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS X  
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X  
X UNRESOLVED IF NO OBJECTIONS ARE FILED.  
X  
X  
X  
X  
X USDA AERIAL PHOTOGRAPH NO. 579-30, DATED 07/03/81,  
X SHOWS NO EVIDENCE OF A DAM OR PIT AT THE CLAIMED X  
X PLACE OF USE.  
X  
X CLAIMED PURPOSE OF USE COULD NOT BE IDENTIFIED DUE TO X  
X LACK OF DATA.  
X  
X  
X EXISTENCE OF THE CLAIMED RESERVOIR CANNOT BE X  
X CONFIRMED WITH AVAILABLE DATA.  
X  
X  
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS; IF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,019

WATER:RIGHT:NUMBER:400:--W-07027-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 08, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SWSE 29 28N 36E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWSE 29 28N 36E VALLEY

RESERVOIR/LAKE NAME: DAYTON RETENTION RESERVOIR

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWSE 29 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

* J 07

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077026-00. W077027-00.

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*****
X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
X UNRESOLVED IF NO OBJECTIONS ARE FILED.
X
X
X
X
X USDA AERIAL PHOTOGRAPH NO. 579-30, DATED 07/03/81,
X SHOWS NO EVIDENCE OF A DAM OR PIT AT THE CLAIMED
X PLACE OF USE.
X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
X AREA, 234 MONT. 343 (1986) (THE BEAR LAKE CASE) THE
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
X
X
X EXISTENCE OF THE CLAIMED RESERVOIR CANNOT BE
X CONFIRMED FROM AERIAL PHOTOGRAPHS, USGS TOPOGRAPHICAL
X MAP, AND WRS DATA.
X
X *****
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P. O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,021

WATER RIGHT NUMBER 400-W-077028-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: MARCH 12, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----

01 SEMESW 32 28N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SEMESW 32 28N 36E VALLEY

RESERVOIR/LAKE NAME: BEECHNUT DETENTION RESERVOIR
CAPACITY: 66.7 AC-FT DAM HEIGHT: 13 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE SWNWSE SEC 32 TWP 28N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 22N 36E 32 28N 36E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,022

WATER RIGHT NUMBER: 400-W-077028-00 (CONTINUED)

PLACE OF USE CONTINUED:

002 NESW 32 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077028-00, W077029-00, W077030-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,023

WATER RIGHT NUMBER 4001-W-077029-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: MARCH 12, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 27.87 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SENESW	32	28N	36E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM		SENESW	32	28N	36E	VALLEY

RESERVOIR/LAKE NAME: BEECHNUT DETENTION RESERVOIR
CAPACITY: 66.7 AC-FT DAM HEIGHT: 13-FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE SWNWSE SEC 32 TWP 28N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				W2NW4	32	N28N07E		VALLEY	

PLACE OF USE CONTINUED.

002

NESM 32 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

W077028-00. W077029-00. W077030-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRD DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1980) (THE BEAM LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE. EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59717-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,025

WATER RIGHT NUMBER 4002-W-077030-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: MARCH 12, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 64.64 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENESW 32 28N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENESW 32 28N 36E VALLEY

RESERVOIR/LAKE NAME: BEECHMUT RETENTION RESERVOIR
CAPACITY: 66.7 AC-FT DAM HEIGHT: 13 FT SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

THE DAM EXTENDS INTO THE SWNWSE SEC 32 TWP 28N RGE 36E
VALLEY COUNTY.

* PLACE OF USE FOR FLOOD CONTROL:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001
002

WNWSE 32 28N 36E VALLEY
NE 32 28N 36E VALLEY

A 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,026

WATER RIGHT NUMBER 400-W-077030-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077028-00, W077029-00, W077030-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* * * * *
* THE CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* * * * *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NON-CONSUMPTIVE. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-596-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,027

WATER RIGHT NUMBER 400-W-077031-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 01, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SW	NW	33	28N	36E VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM		SW	NW	33	28N	36E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SW	NW	33	28N	36E VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,028

WATER RIGHT NUMBER 400-W-077031-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077031-00, W077032-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

03/31/95
PAGE 3,029

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-077032-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 01, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 SWNW 33 28N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SWNW 33 28N 36E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWNW 33 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,030

WATER RIGHT NUMBER 400-W-077032-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077031-00, W077032-00.

z THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, z
z DATA, OR ISSUES TO REPORT TO THE WATER COURT. z

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,031

WATER RIGHT NUMBER 400-W-077033-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSE 33 28N 36E VALLEY DAM
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSE 33 28N 36E VALLEY

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSE 33 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,032

WATER RIGHT NUMBER 400-W-077033-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077033-00, W077034-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,033

WATER RIGHT NUMBER 4002-W-077034-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NWSE 33 28N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DOWNSTREAM NWSE 33 28N 36E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NWSE 33 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,034

WATER RIGHT NUMBER: 400g-W-077034-00g (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077033-00, W077034-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1980) (THE BEAM LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
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TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

03/31/95
PAGE 3,035

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400 - W-077035-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 16, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- PEARNS

01 NENE 34 28N 36E VALLEY (AM)

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM NENE 34 28N 36E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NENE 34 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
WILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,036

WATER RIGHT NUMBER 400-W-077035-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077035-00, W077036-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,037

WATER RIGHT NUMBER: 400-1-W-077036-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 16, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 1.44 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NENE	34	28N	36E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01			NENE	34	28N	36E	VALLEY

PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			NENE	34	28N	36E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
NO77035-00. NO77036-00.

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# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
# EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
# UNRESOLVED IF NO OBJECTIONS ARE FILED.
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#
#
#
# THERE IS A QUESTION AS TO THE VALIDITY OF THIS
# CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
# AREA, 234 NW 3 (1988) (THE BECK LAKE CASE), THE
# MONTANA SUPREME COURT STATED "IT IS CLEAR THEREFORE
# THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
# RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
# WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59717-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,039

WATER RIGHT NUMBER: 400-11-077037-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF BILLOCK COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 13, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 SWNWSE 04 28N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM SWNWSE 04 28N 37E VALLEY

RESERVOIR/LAKE NAME: CARLSON RETENTION RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 W2NWSE 04 28N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03/31/95
PAGE 3,040

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-V-077037-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077037-00, W077038-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA DN-V) OR 1-406-564-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,041

WATER RIGHT NUMBER 400-W-07038-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF BILLY COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 13, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01						S4N	W2E	04 28N 37E VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY	
01	ONSTREAM					S4N	W2E	04 28N 37E VALLEY

RESERVOIR/LAKE NAME: CARLSON RETENTION RESERVOIR

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001							S4N	W2E	04 28N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* B 09

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,042

WATER RIGHT NUMBER 400-W-077038-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077037-00, W077038-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-824-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,043

WATER RIGHT NUMBER 400-W-077039-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 16, 1946
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		N25ENE	05	28N	37E	VALLEY	DAM	

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM	N25ENE	05	28N	37E	VALLEY	

RESERVOIR/LAKE NAME: WAGON TOP RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001		N25ENE	05	28N	37E	VALLEY		

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,044

WATER RIGHT NUMBER 400-W-077039-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077039-00, W077040-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 100
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,045

WATER RIGHT NUMBER 4002-W-077040-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 16, 1946
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		N2ENE	05	28N	37E	VALLEY		DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM	N2ENE	05	28N	37E	VALLEY	

RESERVOIR/LAKE NAME: WAGON TOP RESERVOIR

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SENE	05	28N	37E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,046

WATER RIGHT NUMBER 400-W-077040-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077039-00, W077040-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,047

WATER RIGHT NUMBER 400g-W-077041-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BILLOCK COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 09, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	NESWSE 05 28N 37E VALLEY	DAM

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM	NESWSE 05 28N 37E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001		NESWSE 05 28N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,048

WATER RIGHT NUMBER 400-W-077041-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES. W077041-00,
W077041-00, W077042-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,049

WATER RIGHT NUMBER 400-W-077042-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BILLICK COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 09, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	NESWSE 05 28N 37E VALLEY	DAM

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM	NESWSE 05 28N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001		NESWSE 05 28N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,050

WATER RIGHT NUMBER 400-W-077042-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077041-00, W077042-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF HIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X
X X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 294 MONT. 343 (1988) (THE BEAM LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X X

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,051

WATER RIGHT NUMBER 4003-W-077043-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 05-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 13, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SE	NESE	06	28N	37E	VALLEY	PIT

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM		SE	NESE	06	28N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				E2	NESE	06	28N	37E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,052

WATER RIGHT NUMBER: 400-W-077043-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077043-00, W077044-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,053

WATER:RIGHT:NUMBER:400:W-077044-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION: 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 13, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK. QTR SEC. SEC. TWP. RGE. COUNTY. ----- MEANS -----
01 SENESE 06 28N 37E VALLEY PIT

RESERVOIR:

----- QTR SEC. SEC. TWP. RGE. COUNTY. -----
01 ONSTREAM SENESE 06 28N 37E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK. QTR SEC. SEC. TWP. RGE. COUNTY. -----
001 E2NESE 06 28N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,054

WATER RIGHT NUMBER 400-W-077044-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES. W077043-00,
W077043-00, W077044-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,055

WATER RIGHT NUMBER: 400-S-077045-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 10, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSWNE 08 28N 37E VALLEY PIT
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSWNE 08 28N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSWNE 08 28N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,056

WATER RIGHT NUMBER W-077045-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077045-00, W077046-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 294 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,057

WATER RIGHT NUMBER 4002-W-077046-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36000
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 10, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	NWSNE 08 28N 37E VALLEY	PIT

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM	NWSNE 08 28N 37E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001		NWSNE 08 28N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,058

WATER RIGHT NUMBER 400-W-077046-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077045-00, W077046-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,059

WATER₂RIGHT₂NUMBER₂400₂-W-077047-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN asterisk (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1948
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 4.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----
01 NESWSE 08 28N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DOWNSTREAM NESWSE 08 28N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 E2SWSE 08 28N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,060

WATER RIGHT NUMBER 400-W-077047-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077047-00, W077048-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400-W-104472-00 (CONTINUED)

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