

BASIN 4/N

**WATER COURT ORDERS
AND CORRESPONDENCE
PRELIMINARY DECREE**

IN THE WATER COURTS OF THE STATE OF MONTANA
 LOWER MISSOURI DIVISION

WILLOW CREEK RIVER BASIN

***** STATE OF MONTANA **
 Water Courts

IN THE MATTER OF THE ADJUDICATION)
 OF THE EXISTING RIGHTS TO THE USE)
 OF ALL THE WATER, BOTH SURFACE AND)
 UNDERGROUND, WITHIN THE WILLOW CREEK)
 DRAINAGE AREA, INCLUDING ALL)
 TRIBUTARIES OF WILLOW CREEK IN)
 LIBERTY AND TOOLE COUNTIES, MONTANA.)
 -----)

I hereby certify that the instrument to which this affidavit is affixed is a true, correct and unaltered copy of the original instrument filed in the office of the Clerk of the Water Courts of the State of Montana. Witness my hand and the seal of the Water Courts of the State of Montana this
 2nd day of July 1984
 Chris Jensen
 Clerk of the Water Courts

ORDER

After having reviewed the Water Master's Report of existing rights in the Willow Creek Basin, the Court finds that the Report meets the requirements for the Preliminary Decree set forth in 85-2-231(1) MCA 1978. The Court, being satisfied with the Findings of Fact and Conclusions of Law contained in the Report, hereby

ORDERS that the Water Master's Report (attached herein) and the abstracts of the individual water rights in the Willow Creek Basin be adopted as the Preliminary Decree for that Basin pursuant to Section 85-2-231(3) MCA 1978.

DATED this 29th day of June, 1984.

Bernard W. Thomas
 BERNARD W. THOMAS
 Water Judge
 Lower Missouri Division

IN THE WATER COURTS OF THE STATE OF MONTANA
LOWER MISSOURI RIVER DIVISION

WILLOW CREEK BASIN

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OF ALL THE WATER, BOTH SURFACE AND)
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IN LIBERTY AND TOOLE COUNTIES,)
MONTANA.)
-----)

Report of the Water Master on the
Willow Creek Basin

This Report is submitted to the Honorable Bernard W. Thomas,
Water Judge of the Lower Missouri Division of the Water Courts
of the State of Montana, by Timothy J. Sullivan, Water Master
for the Willow Creek Basin.

FINDINGS OF FACT

1. Authority to Act

This Decree is issued by a Water Judge as authorized by
Chapter 697, Session Laws 1979 (85-2-201) as amended.

2. Description of Basin

Willow Creek

Willow Creek Basin drains a remote area south of the Sweet
Grass Hills in eastern Toole County. The area was part of the
northwest buffalo range and was controlled by the Blackfeet
Indians until the establishment of the Blackfeet Indian
Reservation in 1873. This region was settled during the 1890's

by farmers and ranchers attracted by the open lands and excellent dryland farming conditions along the Marias River Valley and the surrounding plains.

The headwaters and upstream perennial branches of Willow Creek Basin begin on the southern slopes of West and Middle Buttes in the Sweet Grass Hills at an elevation above 6,000 feet. Various coulees and streams flow south down these slopes and unite to form Willow Creek. Willow Creek continues flowing south where it empties into the Tiber Reservoir south of Galata at an elevation of 2,850 feet.

The headwaters of Willow Creek cut through narrow coulees and valleys enclosed by stone ridges. However, below the slopes of the Sweet Grass Hills, the valleys widen and the country is characterized by rolling glaciated uplands that form the largest irrigable area in Toole County.

Toole County has a continental type climate that is modified by the warming affect of frequent "Chinook" winds. High elevations receive about one-third greater annual precipitation than low elevations within the County. Normally, over 75% of the annual precipitation occurs during the growing season between April and September, and the stream flow in Willow Creek Basin fluctuates accordingly.

Few white Americans visited what is now Toole County during the time that the region was controlled by the Blackfeet Indians. Meriwether Lewis passed through this region in 1806 on his return from the Pacific Northwest. In 1830, Kenneth McKenzie sent a party of traders from Fort Union to contact the

Blackfeet. Two years later, James Kipp established a trading post at the mouth of the Marias River and began trading with the Blackfeet. However, in 1842 this trading stopped after an incident in which several Blackfeet were killed by a trader.

After the creation of the Blackfeet Indian Reservation in 1873, the Blackfeet ceded control of what is now Toole County. This area remained isolated and undeveloped until the arrival of the Great Northern Railroad in 1891. The Railroad brought settlers attracted by the favorable soil and climatic conditions in the southern part of the county. The population grew rapidly and by the turn of the century, the region was famous for dryland, high yield wheat production.

Toole County was created in 1914 and named in honor of the first Governor of Montana, Joseph K. Toole. The discovery of oil in the Kevin Sunburst field north of Shelby in 1922 produced a boom that lasted until the 1930's. Energy production is still an important industry in Toole County.

Agriculture is the major industry in Toole County. Approximately 90% of the acreage within Toole County is used for agricultural purposes. Wheat and barley are the main crops but the area also produces oats, rye, flax, alfalfa, and mustard. Cattle and sheep account for most of the livestock production but horses, hogs and chickens are also raised.

Approximately 1,432 claims of existing water rights were filed for stockwater, irrigation, domestic and other uses.

The Court finds that no individual or agency filed any valid instream claims for fish, fish and wildlife or recreational

instead used.

The boundaries of the basin are outlined on the attached map.

3. Water Right Owner

Generally, the Court issues a water right to the appropriator, who is usually the claimant. If there is evidence that a change of ownership has occurred, the Court issues the right in the name of the new owner. If a change has occurred and the Court was not informed, the correct name can be added at a later date.

Some water rights are claimed by more than one person on separate claim forms. When both claimants insist on ownership, each is decreed the right but a remark is added to each decree noting the conflict.

4. Pre-1973 Water Rights

The general adjudication of water rights is to cover rights existing before 1973.

An existing water right includes those rights which would be protected under the law as it existed prior to July 1, 1973, pursuant to 85-2-102(7) MCA.

5. Specifics of Procedure

The Court outlined and supervised the procedure of processing the claims to existing rights. A claim is examined for incomplete or inaccurate information. It is then reviewed

for actual and beneficial use. The Court ordered the Department of Natural Resources and Conservation to assist in the processing of the claims.

The extent of each individual water right claim is further defined by these Findings of Fact and Conclusions of Law. Where a claimant filed two or more water rights on the same claim form, each right was separated and assigned an individual water right number. If the claim did not include all the information required by 85-2-224 MCA and the information was not available, the right was decreed within the limits of the information submitted.

The specifics of each individual claim is defined by an abstract of the water right. Each individual abstract of the claimed right includes (where possible):

- (a) The name and post office address of the owner of the right;
- (b) The amount of water, rate and volume included in the right;
- (c) The date of priority of the right;
- (d) The purpose for which the water included in the right is used;
- (e) The place of use and a description of the land, if any to which the right is appurtenant;
- (f) The source of water included in the right;
- (g) The place and means of diversion;
- (h) The inclusive dates during which the water is used each year;
- (i) Any other information necessary to fully define the nature and extent of the right.

6. Multiple Uses of a Water Right

Usually, a water right is decreed and the uses of the right are noted. In this general adjudication, the claimants filed separate claims for each use of the water right. Special claim

forms were used for irrigation, stockwatering, domestic use and a catch-all form for all other uses. As a result of this unique filing, each use of a water right will be decreed separately. Therefore, a water right might be represented by two or more decreed uses.

A remark notation of the multiple use of a water right appears in the following instances:

1. Whenever an irrigation and an "Other Use" are for the same water right.

2. Whenever a water right has two or more "Other Uses."

In all cases where any multiple use of a right occurs, the combined flow rate and volume cannot exceed the original appropriation. The use of the right for several purposes does not increase the extent of the right, rather it decrees the right to alternate and interchange the use (purpose) of the water in accord with historic practices.

7. Source Name

Although some sources of surface water in the Willow Creek Basin were claimed under several names, the source is generally designated in the Decree by the name listed in the United States Geological Survey. If the source has not been designated by the U.S.G.S., the source name of most common recognition in the locality has been used.

Commonly recognized reservoir and lake names will appear as source names. Those lakes and reservoirs that have no commonly recognized name are generally decreed under the name of the

outflowing stream. The source name index of the Preliminary Decree cross-indexes any such source names for easy access.

When more than one source is claimed for a water right, the Court determines the major source and lists that source in the Decree. If more than one source is determined to be major, a separate claim is made for the claimant.

8. Priority Date

The priority date claimed is recognized as prima facie and so decreed except where it is incomplete; or it would result in a clearly erroneous interpretation of the law; or the claim's supporting documentation contradicts the claimed priority date.

Priority dates were decreed in accord with the following:

Where a claimed priority date included only a year, or a year and a month, the last day of the year and the last day of the month are decreed as the priority date.

Priority dates for groundwater rights after 1961 are reviewed for compliance with the Groundwater Act. Priority dates are not changed if it appeared that the wrong form had been used.

If a claim to groundwater after 1961 is based on use, the priority date is decreed as the date of filing the claim to the existing right.

9. Irrigation

Irrigation is a beneficial use of water. The limits of irrigation rights are guided by reliance on crop requirements

and the overall efficiency of the irrigation system.

Flow Rates. Flow rates are decreed in gallons per minute (gpm) or in cubic feet per second (cfs) instead of the traditional miner's inches. Eleven gpm is equivalent to one miner's inch; forty miner's inches is equivalent to one cubic foot per second.

The flow rates of all previously decreed water rights are unchanged and issued in accord with the flow rate decreed in the original adjudication. When different claimants claimed water rights based on decrees and the total flow rate claimed between the claimants exceeded the amount on the document, a remark is entered on each decree noting those decreed uses of the earlier decreed right.

Flow rates based on a "filed notice of appropriation" or "use" right shall not exceed a reasonable application rate. A reasonable application rate for flood, sprinkling and pump systems which is in keeping with the general requirement of most users in the Basin shall not exceed 17 gpm per acre (1.5 miner's inches). The Court has decreed all claimed flow rates of 17 gpm per acre or less on such systems. However, if the submitted documentation clearly documents a larger claimed flow rate, it was so decreed.

Water spreading, subirrigation and natural overflow and other irrigation systems not subject to quantification do not generally have a constant or consistent flow rate. The extent of the right is limited by the decreed volume. While the water

rights for subirrigation and natural overflow are decreed, the owner of the right does not have a right to demand continued right of the water by these means of diversion.

Flow rates are measured by the point of diversion.

Volume. Volume is decreed in acre-feet beneficially used in one year. An acre-foot of water will cover one acre to a depth of one foot. Net crop consumption requirements are considered to be the total amount of irrigation water a crop will use during an average growing season. Water usage is dependent on the overall efficiency of the irrigation system. General maximum requirements of differing systems are outlined in the following table:

Climatic Area	Flood Systems (diversion ditch) Volumes (AF/A)	Sprinkler & Pumped Diversion Systems Volumes (AF/A)	Water Spreading Systems, Sub-irrigation and Natural Overflow Volumes (AF/A)
I	5.7	3.8	2.3
II	5.3	3.5	2.1
III	5.0	3.3	2.0
IV	4.6	3.1	1.9
V	4.4	3.0	1.8

Climatic areas are delineated by reliance on the designation of Irrigation Guide for Montana, USDA, S.C.S., 1973.

Volumes are measured at the point of diversion.

Any claimed volume not exceeding those designated in the table are decreed as claimed. Those exceeding the volume designated in the table are reduced in accord with those standards. In any case, where the documentation clearly supports a greater amount, it was so decreed.

Place of Use.

A. Verification of Place of Use. Irrigation rights are decreed to a defined place of use. In delineating the place of use, the claim is verified by the use of aerial photographs, field investigation and data submitted by the Department of Natural Resources and Conservation and the claimant. The place of use for irrigation is accepted as claimed except when the land did not appear irrigated or irrigable.

The place of use is designated by legal land description and can be further defined by reference to the maps and referenced aerial photographs included in the Court records.

B. Supplemental Water Rights and Place of Use. In many cases, several water rights with differing priority dates or different sources are combined to supplement the irrigation requirements of all or part of the same acreage. Each water right is decreed a specific place of use, flow rate and volume. Where these rights are used jointly, the combined volume and flow rate cannot exceed the amount of water necessary for the designated beneficial use.

The water user has the right to determine the volume contribution of each source or priority up to the maximum volume.

Period of Use. Because the period of use can vary widely for each individual user, the period of use is accepted as claimed unless the claimed period of use contradicts a previously decreed or documented period of use.

If a period of use was not designated by the claimant, a

period of use for irrigation claims was assigned in accord with a reasonable irrigation season for the climatic area. Those seasons are as follows:

<u>Climatic Area</u>	<u>Period of Use</u>
I	3-15 to 11-15
II	4-01 to 10-30
III	4-15 to 10-15
IV	4-20 to 10-10
V	4-25 to 10-05

Place and Means of Diversion. The place and means of diversion are designated. The place of diversion is specifically designated by legal land description.

Secondary points of diversion are noted when possible; however, the claim and claimant's map in many cases will more specifically define the point of diversion.

When a point of diversion is found on a source other than the one claimed, the other source points of diversion are decreed when that source is determined to be an incidental part of the original source. A remark will appear with the other source points of diversion that identifies the incidental source. If the other source is not considered incidental, a separate claim is created.

10. Irrigation Districts

Some irrigation districts used their water rights on designated places of use and the right has become appurtenant to the land. In those cases, the claim was verified and decreed in accord with the criteria used for all other irrigation claims.

Where the irrigation district engaged in the sale of water or the place of use changed on a continuing basis, the claimed flow rate and volume were decreed as claimed without an attempt to verify usage.

The several rights on one claim form are identified as being supplemental. Water rights from separate sources that water the same land are identified as being supplemental.

11. Domestic Use

Flow Rate. The average flow rate from a groundwater source in the State of Montana is approximately 25 gallons per minute. However, a flow rate of 40 gallons per minute is acceptable. As a result, those domestic rights with a claimed flow rate of 40 gallons per minute or less are so decreed. Where the claimed flow rate and the accompanying documentation does not substantiate a flow rate, the right is decreed a flow rate of 25 gallons per minute. When a flow rate claimed had been previously decreed, the flow rate is not changed.

Volume. A reasonable volume of water for domestic use is calculated at 1.0 acre-feet per household with an additional .5 acre-foot for each quarter acre of yard.

Flow rates and volumes are measured at the point of diversion.

Place of Use. Land irrigated as part of the domestic use is decreed as part of the place of use. If a claim for domestic use included irrigation separate from the domestic use, the irrigated land was decreed separately.

Period of Use. The period of use claimed is the period of use decreed.

12. Stockwater

Volume. Stockwater is a beneficial use of water. The limit of the right is based on a consumptive use of 30 gallons per day per animal unit. An animal unit is described as a cow/calf pair or equivalent. The number of animal units is in most instances limited to the reasonable carrying capacity of the area historically serviced by the water source. In those cases when historically the source is utilized more intensively, for instance in the case of a confined stockyard, the right increases based on the number of animal units. Finally, where the stockwater is impounded in a reservoir, a right to reasonable carryover for use in future years is acknowledged.

Flow Rate. The flow rates for groundwater developments for stockwatering purposes were governed by the same principles on domestic groundwater sources. Those rights involving stock drinking directly from instream surface water sources do not reflect a specific flow rate. The instream flow rate shall be reasonable and shall not exceed the extent of the right as historically utilized.

Place of Use. Where stock drink directly from the surface water source, the point of diversion and place of use seek to show all land adjacent to the source.

13. Reservoirs and Storage of Water

A storage right can exist for water that would otherwise go to waste. This right is dependent upon the lack of interference with other rights.

The right to appropriate water by storage in a reservoir is a right separate from a water right. Actual beneficial use of stored water creates a water right. The Court decrees the limits of that right.

14. Other Uses

In the Willow Creek Basin, claims for mining, commercial, recreation, fish and wildlife, fish raceways, multiple domestic, industrial, municipal, fire protection, power generation, wildlife and agricultural spraying use were submitted.

The Court finds that no individual nor Department filed any valid instream claims for fish, wildlife and recreational instream uses.

"Murphy Rights." Section 1 of Chapter 345 of the 1969 Session Laws provided for the appropriation of water in designated streams to maintain fish and wildlife habitat. The Court subjects these rights to all prior existing rights pursuant to 89-801 RCM 1947. The flow rate and volume of these rights are subject to change should the Court determine the waters are needed for a use determined to be more beneficial to the public.

Flow Rates. Flow rates are decreed as claimed unless the documentation accompanying the claim supported a different amount. The Court could not, however, determine a flow rate for

the minimal amount necessary to sustain fishing, wildlife, recreation and navigation. Flow rates for mining, power generation and fish raceways are accepted when it is determined that the amount claimed is less than the average annual stream flow. Rates in excess of the average annual stream flow are reduced to that average rate.

Volumes. Volumes are decreed as claimed unless the documentation accompanying the claim support a different amount.

Commercial and industrial use are limited to a reasonable volume of five acre-feet unless documentation supported a higher volume.

Incidental Use. Many purposes, especially fish, wildlife and recreation, are incidental to another beneficial use of water. The extent of the water right for an incidental use is no more than the extent of the primary use of the water.

Non-Consumptive Use. The Court recognizes that several uses do not consume water. A remark is added to these uses declaring the use to be non-consumptive.

15. Standards

Standards have been used by the Water Court to aid in calculating flow rate, volume and other elements of a water right. These standards are guidelines only and can be modified to reflect an individual's own circumstances upon objection.

16. Terminated Claim

The Water Court takes judicial notice of water claims that

have been terminated during this adjudication process.

Instances are:

1. A claim filed with the adjudication Field Office and withdrawn and terminated by the claimant because of self-confessed errors and filed anew.
2. Claims filed and then withdrawn at claimant's request.
3. Claims that appear in the abstracts of water rights as part of the Preliminary Decree because they were assigned a "number" by the Helena, Montana office, and later returned to the forwarding Field Office; and these claims have a remark on the abstract of their termination for one reason or another from claimant. These claims are "alphabetized" and stored in the archives of the Department of Natural Resources and Conservation by Field Offices.

The claims are printed in both decrees. The "0" prefix will tell the computer to print a statement saying, "The Court finds no right for this claim, as it has been withdrawn at the request of the claimant."

4. Claims terminated by the Field Offices and the DNRC before an Order of this Court of April 22, 1982, ordering that these claims were not to be terminated but stamped at the time of filing and processed as all other claims, even though there was a failure of payment of fees. All claims terminated because of lack of payment will be considered specially by this Court at the time of Preliminary Decree hearings.

Based on the Findings of Fact, the Water Judge makes the following:

CONCLUSIONS OF LAW

1.

This Report meets the requirements for a Preliminary Decree as required by 85-2-321 MCA 1979.

2.

For each person who claims an existing water right in this Basin, there is attached to this Preliminary Decree a statement defining the nature and extent of his claimed right, as found by the Water Court and as requested by 85-2-231 MCA and 85-2-234 MCA; these Conclusions make all these attached statements a part of this Report.

3.

All notices, all substantive and procedural requirements of court adjudication of water claims and requirements for hearing and decision have been fulfilled.

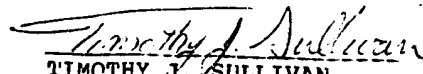
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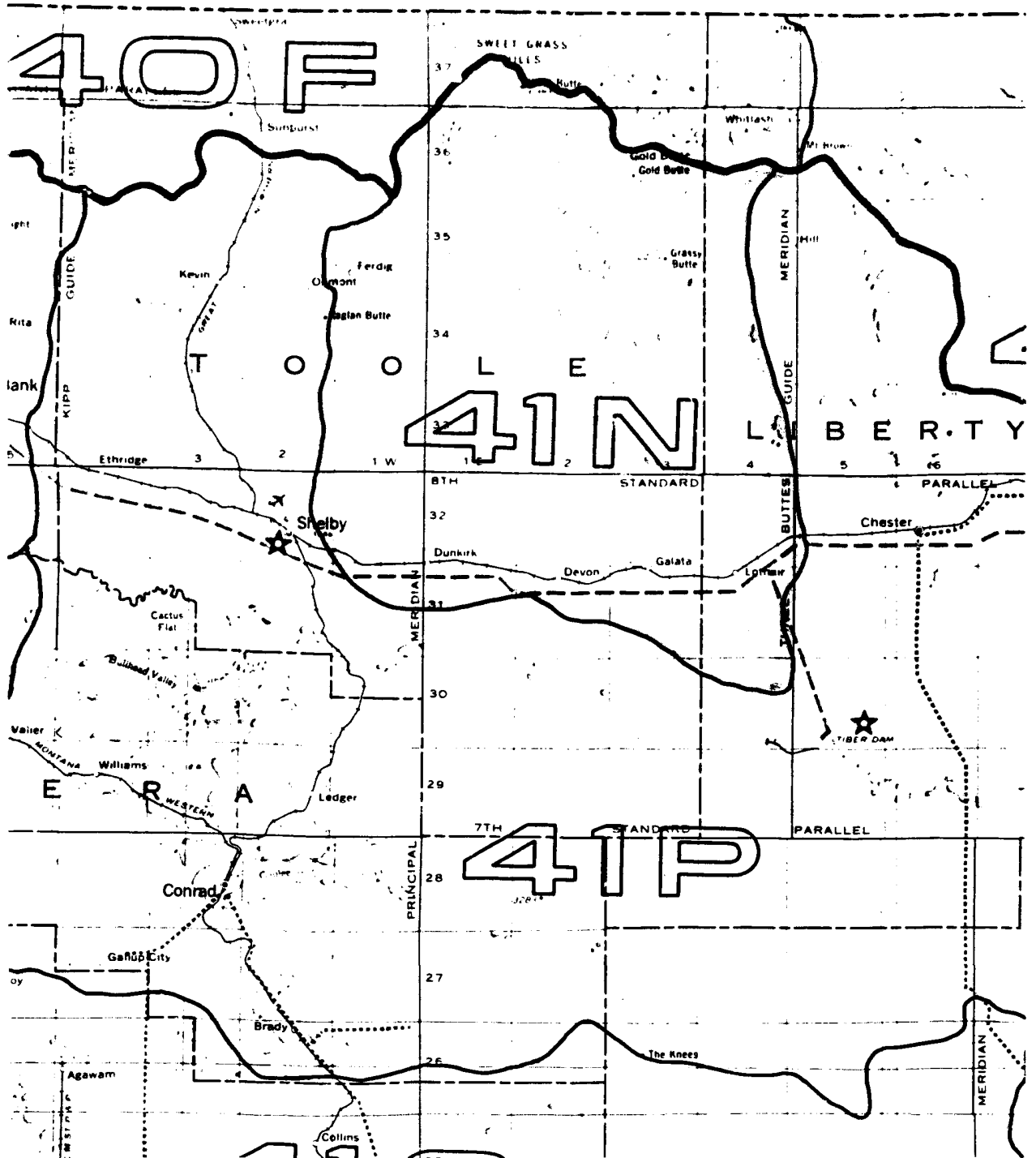
The water adjudicated in this cause is a water use that is of a beneficial use and is the property of the State of Montana and for the use of these named water claimants, subject to their appropriative rights as specified in this Report.

5.

All Findings are merged with these Conclusions of Law to give them the force of law in this Report.

DATED this 27th day of June, 1984.


TIMOTHY J. SULLIVAN
Water Master
P.O. Box 879
Bozeman, MT 59715



II. THE WATER COURTS OF THE STATE OF MONTANA

LOWER MISSOURI DIVISION

WILLOW CREEK BASIN

IN THE MATTER OF THE ADJUDICATION)
OF THE EXISTING RIGHTS TO THE USE)
OF ALL THE WATER, BOTH SURFACE AND)
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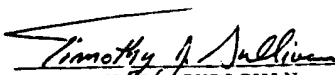
MEMORANDUM

Early in our State's history (March 12, 1885) we were concerned about measurement of Montana water.

85-5-302 MCA, whose genesis was a statute of 1905, is still our guiding law. It states ". . . shall be required to have suitable headgates at the point wherein a ditch taps a stream and shall also, at some suitable place on the ditch and as near the head thereof as practicable, place and maintain a proper measuring box, weir or other appliance for the measurement of water flowing in such ditch."

Now, as we move into the present and future of water and its management, measurement of that water is most important.

DATED this 28th day of June, 1984.


TIMOTHY J. SULLIVAN
Water Master
P.O. Box 879
Bozeman, MT 59715

IN THE WATER COURTS OF THE STATE OF MONTANA
LOWER MISSOURI RIVER DIVISION

WILLOW CREEK BASIN

* * * * *

IN THE MATTER OF THE ADJUDICATION)
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MEMORANDUM

The command of the Legislature was to "expedite" and facilitate the adjudication of the water rights of Montana.

To assure a speedy, simple and effective program for adjudication of Montana water, there was created a specific statewide program, operated by a newly created Water Courts system, all under the supervision of the Montana Supreme Court.

The Act creating the adjudication program and its Water Courts became law May 11, 1979; immediately on June 8, 1979, the Supreme Court promulgated its rules and prescribed forms and set in motion a statewide filing of water right claims.

Meanwhile, between May 11, 1979 and June 12, 1979, Water Judges were elected. Present Water Judges are Bernard W. Thomas, Robert M. Holter and Roy C. Rodighiero. Early in June, 1979, these Water Judges met and began supervising (under Supreme Court direction) the preparing, filing and collecting of more than 200,000 water claims in the State of Montana. These Judges met and elected Judge W. W. Lessley to act as a Chief

Water Judge to give direction and unity to their work. (in 1981 a statute amending the original Adjudication Act was passed and Lessley was appointed Chief Water Judge by Chief Justice Haswell of the Supreme Court.)

On April 30, 1982, all water claims were in under the direction of the Water Courts and clarification by field personnel began.

In early November, 1980, the first Water Master was appointed and adjudication began in two large basins of the Powder River. 10,302 water claims were adjudicated, 316 objections were filed; hearings held on 146 cases. A final decree on both basins was filed April 14, 1983, and only one appeal from all that adjudication has been filed in the Supreme Court.

Meanwhile in June, 1983, the Water Courts had the 200,000 claims computerized and in a single master computer located in Helena. The Courts are now supervising the final verification of all claims for the final computer run for all preliminary decrees.

The organization and staff of the Water Courts has grown. As directed by the Legislature, it has three Water Judges, a Chief Water Judge, three Water Masters, an engineer assigned to and actively working with the Water Courts, and two office employees skilled in office skills, word processing, docket-base computer work and in Water Courts procedures and forms.

The Water Courts have established their own Rules of Court, specialized forms for objections, pre-pre trial and pre-trial

procedure for water case hearings and trials; all objections are heard promptly and accurate recording machines prepare Court records and transcripts of all hearings.

As of now, final decrees have been issued in three Basins. The Water Courts in 1984 will adjudicate at least sixteen Basins; there is a real possibility to adjudicate 20 Basins.

Specifically, 13,506 individual water claims have been clarified, verified and adjudicated by preliminary decrees as of January, 1984, with final decrees ahead.

This comprehensive Water Court program has been challenged in Federal Courts. The words of the District Federal Judges who first heard the challenge are significant. The key phrase of the evaluation of Montana's program by Chief District Judge Battin and District Judge Hatfield is: "It is clear that the adjudication contemplated by the Bill is both comprehensive and efficient." Federal Judges Battin and Hatfield spell out the specifics of the working of the Montana Water Courts in this clear and practical language:

"By enactment of the last legislature of the State of Montana, Senate Bill 76, as yet uncodified, has provided the vehicle for adjudicating claims of existing water rights in Montana. The provisions of that Bill bear heavily upon this Court's decision to dismiss these cases on the basis of wise judicial administration.

In essence the Bill provides for adjudication of all existing water rights in the State of Montana. Section 6 of the Bill provides that:

- 1) The action for the adjudication of all existing water rights under [this act] is commenced with the issuing of the order by the Montana Supreme Court to file a statement of a claim of an existing water right as provided in [section 16].
- (2) The water judge for each division shall exercise jurisdiction over all matters concerning the determination and interpretation of existing water rights within his division.
....
- (4) All matters concerning the determination and interpretation of existing water rights shall be brought before or immediately transferred to the water judge in the proper water division unless witnesses have been sworn and testimony has been taken by a district court prior to the date of the Montana Supreme Court order as provided in [section 16].

Section 16 of the Bill provides that:

- (1) The Montana Supreme Court shall within 10 days of the filing of the petition by the attorney general issue an order to file a statement of a claim of an existing water right in substantially the following form:

"WATER RIGHTS ORDER

FAILURE TO FILE A CLAIM AS REQUIRED BY LAW WILL RESULT IN A CONCLUSIVE PRESUMPTION THAT THE WATER RIGHT OR CLAIMED WATER RIGHT HAS BEEN ABANDONED.
. . . This order is notice of commencement of procedures for the general adjudication of existing rights to the use of water and of the requirement to file a claim for certain existing rights to the use of water. Every person, including but not limited to an individual, partnership, association, public or private corporation, city or other municipality, county, state agency of the State of Montana, and federal agency or the United States of America on its own behalf or as trustee for any Indian or Indian tribe, asserting a claim to an existing right to the use of water arising prior to July 1, 1973, is ordered to file a statement of claim to that right with the department no later than June 30, 1983. .
. . ."

- [3] The above-cited sections reflect both the policy and the essential mechanism for adjudication of state water rights. Adjudication by adversary proceeding initiated by one claimant against all others in his drainage has been for-

saken in favor of blanket adjudication of all claims, including federal and federal trust claims, in a systematic manner. The procedure outlined in the Bill is that of: (1) filing of an order by the Supreme Court requiring the filing by all claimants of statements of each claim; (2) upon filing of all claims, submission of the claims to the water judge in the division or district in which the claimed water is diverted; (3) through utilization of special masters, the rendering, by the water judge, on the basis of the filed claims, of a preliminary decree of water right; (4) after passage of time without objection to the preliminary decree, entry of a final decree of water right which is binding upon all parties; (5) if objection is timely taken by the claimant to the preliminary decree, judicial determination of the right, but without the necessity of joining all users in the claimant's drainage.

And the Court concludes:

As the general adjudication has been initiated by recent order of the Montana Supreme Court, it would seem that the greater wisdom lies in following Colorado River, and on the basis of wise judicial administration, deferring to the comprehensive state proceedings. The federal proceedings are all in their infancy; service of process has been but recently completed. The state adjudication is thorough, as opposed to the piecemeal proceedings initiated by the Government. There is no jurisdictional question preliminarily attending the state adjudication; all such questions have been eliminated by the McCarran Amendment. The state forum will likely be more convenient, geographically, than the federal forum.

The original hearing before the 9th Circuit carried the minority opinion of Circuit Judge Merrill. His statements are significant as bearing on the need and practicality of the Montana Water Courts operation:

I agree with the district court. Water adjudication is essentially a local concern, and in every western state water scarcity poses a problem not just to Indians but to everyone. In

My view, it is highly important that each state be accorded room for an effort to solve its water scarcity problem in the manner it regards as most appropriate. Here so long as Montana gives recognition to Indian water rights and their establishment pursuant to federal law, I see no good reason why Indians shouldn't be joined with other water users in the state in order to achieve a comprehensive state adjudication.

Finally, the federal law on the Montana Water Courts, as spoken by the Supreme Court of the United States, through Justice Brennan for the Majority:

In light of this history, the parties in this case have engaged in a vigorous debate as to the exact meaning and significance of the Arizona and Montana Enabling Acts. We need not resolve that debate, however, nor need we resort to the more general doctrines that have developed to chart the limits of state authority over Indians, because we are convinced that, whatever limitation the Enabling Acts or federal policy may have originally placed on state court jurisdiction over Indian water rights, those limitations were removed by the McCarran Amendment.

And on specific problems of Indian rights and federal reservations vis-a-vis Montana State program by adjudication, the Justice continued:

But the most important consideration in Colorado River, and the most important consideration in any federal water suit concurrent to a comprehensive state proceeding, must be the "policy underlying the McCarran Amendment," 424 U.S., at 820; see Moses H. Cone Hospital, supra, at _____, and, despite the strong arguments raised by the respondents, we cannot conclude that water rights suits brought by Indians and seeking adjudication only of Indian rights should be excepted from the application of that policy or from the general principles set out in Colorado River.

Even more important is Justice Brennan's clear approval of what the Montana Water Courts can do:

. . . assuming that the state adjudications are adequate to quantify the rights at issue in the federal suits, and taking into account the McCarran Amendment policies we have just discussed, the expertise and administrative machinery available to the state courts, the inactivity of the federal suits, the general judicial bias against piecemeal litigation, and the convenience to the parties, we must conclude that the District Courts were correct in deferring to the state proceedings.

We here at the Montana Water Courts know the Justice is not recreating from general principles of Indian rights, and federal reservations. In these words he makes the understanding clear:

Nothing we say today should be understood to represent even the slightest retreat from the general proposition we expressed so recently in New Mexico v. Mescalero Apache Tribe, ante, at _____, (1983): "Because of their sovereign status, [Indian] tribes and their reservation lands are insulated in some respects by an 'historic immunity from state and local control,' Mescalero Apache Tribe v. Jones, 411 U.S. 145, 152 (1973), and tribes retain any aspect of their historical sovereignty not 'inconsistent with the overriding interests of the National Government.' Washington v. Confederated Tribes, [447 U.S. 134, 153 (1980)]." Nor should we be understood to retreat from the general proposition, expressed in Colorado River, that federal courts have a "virtually unflagging obligation. . . to exercise the jurisdiction given them." 424 U.S., at 817. See generally Moses H. Cone Hospital, supra, at _____. But water rights adjudication is a virtually unique type of proceeding, and the McCarran Amendment is a virtually unique federal statute, and we cannot in this contract be guided by general propositions.

Further:

We also emphasize, as we did in Colorado River, that our decision in no way changes the substantive law by which Indian rights in state water adjudication must be judged. State courts, as much as federal courts, have a solemn obligation to follow federal law. Moreover, any state court decision alleged to abridge Indian water rights protected by federal law can expect to receive, if brought for review before this Court, a particularized and exacting scrutiny commensurate with the powerful federal interest in safeguarding those rights from state encroachment.

The Act creating the Water Courts and its jurisdiction and its operation meets the caveats of Justice Brennan's opinion. This is evident in the careful adjustment of the general adjudication process to special problems of Indian and federal reserved rights.

85-2-701. Legislative intent. Because the water and water rights within each water division are interrelated, it is the intent of the legislature to conduct unified proceedings for the general adjudication of existing water rights under the Montana Water Use Act. Therefore, it is the intent of the legislature that the attorney general's petition required in 85-2-211 include all claimants of reserved Indian water rights as necessary and indispensable parties under authority granted the state by 43 USC 666. However, it is further intended that the state of Montana proceed under the provisions of this part in an effort to conclude compacts for the equitable division and apportionment of waters between the state and its people and the several Indian tribes claiming reserved water rights within the state.

85-2-702. Negotiation with Indian tribes. (1) The reserved water rights compact commission, created by 2-15-212, may negotiate with the Indian tribes or their authorized representatives jointly or severally to conclude compacts under 85-2-701. Compact proceedings shall be commenced by the commission. The commission shall serve by

certified mail directed to the governing body of each tribe a written request for the initiation of negotiations of an authorized representative of the tribe to conduct compact negotiations. Upon receipt of such written designation from the governing body of a tribe, compact negotiations shall be considered to have commenced.

(2) When the compact commission and the Indian tribes or their authorized representatives have agreed to a compact, they shall sign a copy and file an original copy with the department of state of the United States of America and copies with the secretary of the state of Montana and with the governing body for the tribe involved. The compact is effective and binding upon all parties upon ratification by the legislature of Montana, any affected tribal governing body, and the congress of the United States.

(3) Upon its approval by the Montana legislature and the tribe or federal agency, the terms of a compact must be included in the preliminary decree as provided by 85-2-231. However, if approval of the state legislature and tribe or federal agency has not been accomplished by July 1, 1985, all federal and Indian claims for reserved water rights that have not been resolved by a compact must be filed with the department within 60 days. These new filings shall be used in the formulation of the preliminary decree and shall be given treatment similar to that given to all other filings.

85-2-703. Negotiation with federal government. The compact commission may also enter into separate negotiations with the federal government for the conclusion of compacts concerning the equitable division and apportionment of water between the state and its people and the federal government claiming non-Indian reserved waters within the state. The terms and conditions of such negotiations shall be the same as provided in this section for negotiations with Indian tribes.

85-2-704. Termination of negotiations. The commission or any other party to the negotiations may terminate negotiations by providing notice to all parties 30 days in advance of the termination date. On the termination date, the suspension of the application of part 2 provided for in 85-2-217 shall also terminate. The tribe or federal agency shall file all of the claims for reserved rights within 60 days of the termination of negotiations.

A strict construction of the language used in 85-2-231(c) which states, "The preliminary decree shall be issued within 90 days after the close of the special filing period.", read together with 85-2-270(3), which says that the reserved rights not resolved by an approved compact "must be filed" and "shall be used in the formulation of a preliminary decree" indicates that either approved compacts or filed claims are technically necessary to issue a preliminary decree. However, this strict construction of the legislation could frustrate the clear legislative purpose underlying SB76, which is to "expedite and facilitate" the general adjudication of water rights, by slowing the adjudication process.

The Legislature has authorized the use of an interlocutory decree or "other temporary decrees" prior to the issuance of a preliminary decree when it is needed for "the orderly administration of water rights," 85-2-231. The inclusion of this procedure supports the argument that a preliminary decree should not be issued lacking an approved compact or filed reserved right claims. On the other hand, it also supports the argument that the Court should proceed expeditiously to adjudicate basins even though the extent and quantity of federal reserved right claims is undetermined and unknown.

After close study of the language pertaining to preliminary decrees in the Water Use Act, we should conclude that 85-2-231 technically requires inclusion of approved compacts or filed claims for reserved rights. But as a practical matter it is insignificant whether the decree is called a preliminary or a

temporary decree if they both do the same thing. Furthermore, if both decrees have the same legal effect, the use of the normal procedure, which involves issuance of a preliminary decree, makes sense because it is consistent with the general adjudication procedure established by the Legislature and the Water Courts, and, therefore best serves the orderly administration of water rights.

All pertinent case law in talking of state adjudication programs speak of a "state-wide unified adjudication" of water.

As stated, our Federal District Court of Montana, (Chief Judge James F. Battin and Judge Paul G. Hatfield), have characterized Montana's adjudication of water with these words:

"It is clear that the adjudication contemplated by the Bill is both comprehensive and efficient."

And the 9th Circuit granted a stay of Federal actions as preferable to dismissal. The Court clearly states:

"Moreover the question of adequacy of the State proceedings is one best decided by the State Courts in the first instance."

Further, the McCarran Amendment as interpreted in Colorado River allows and encourages a comprehensive water adjudication to quantify Indian water rights.

And Justice Brennan said:

"... and, despite the strong arguments raised by the respondents, we cannot conclude that water rights suits brought by Indians and seeking adjudication only of Indian rights should be excepted from

the application of that policy or from the general principles set out in Colorado River. In the cases before us, assuming that the state adjudications are adequate to quantify the rights at issue in the federal suits, and taking into account the McCarran Amendment policies we have just discussed, the expertise and administrative machinery available to the the state courts, the infancy of the federal suits, the general judicial bias against piecemeal litigation, and the convenience to the parties, we must conclude that the District Courts were correct in deferring to the state proceedings."

What of our general adjudication of Montana water? Is it comprehensive? Is it effective? Clearly SB76 (C. 697) is comprehensive. Its mandate from the Legislature is to adjudicate all the water resources. It seeks and will quantify all of Montana's water. The water of individuals, municipal corporations, other corporate entities, Indian water rights, and other Federal reserved rights in Montana - all of this to the end that statewide we will have certainty as to our water - where it is, who owns it, what it is used for, how long it is used, the source. In fact, the caption item of the water right issued by the Water Courts best shows its comprehensive character of over 200,000 individual and corporate water claims and unnumbered Indian rights and Federal reserved rights. Here is a caption of the water right issued:

CERTIFICATE OF WATER RIGHT NO. W-1005050-00

OWNER:

PRIORITY DATE:

FLOW RATE:

VOLUME:

SOURCE:

PURPOSE:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

PLACE OF USE:

GENERAL REMARKS:

Comprehensive is the key description of the Water Courts plan.

Long before actual gathering of the thousands of water claims, the Court with the help of the Department of Natural Resources and Conservation prepared an Atlas of Water Resources by Hydrologic Basins. This inventory of surface water resources consists of drainage basin maps showing location and relation to each other.

From the three major Continental Basins, a division was made within the State of six major drainage basins based on the streams which flow out of the State and do not reenter: the Kootenai, Clark Fork of the Columbia, St. Mary, Missouri, Yellowstone and Little Missouri. The Belle Fourche drainage of the Cheyenne River in South Dakota extends into a small area of the southeast corner of Montana.

Then the six major drainage basins were divided into 15 sub-major drainage basins consisting of the Upper Clark Fork, Lower Clark Fork; Flathead and Kootenai River Basins in the Columbia River drainage; the Upper Missouri tributaries; Missouri-Smith, Missouri-Sun-Marias; Missouri-Musselshell; Milk; and Missouri-Fork Peck Basins in the Missouri River drainage; the Upper Yellowstone; Middle Yellowstone; and Lower Yellowstone

River Basins in the Yellowstone drainage; the St. Mary River Basin in the Hudson Bay drainage; and the Little Missouri River Basin.

Then again the 15 sub-major basins were divided into 65 minor drainage basins representing the minor tributaries within the State. On a statewide plan of 85 basins, the Court began its statewide adjudication. All of these are based on the work of the Office of Water Data Coordination; U.S. Department of the Interior; Geological Survey Atlas of stream gaging stations. Slight modifications clearly do not significantly change any of the OWDC basins.

The Atlas includes twelve maps showing the 15 sub-major drainage basins with two of these maps showing more than one of the drainage basins on one map page. The maps show culture in black, power lines in grey, and streams and stream names in blue. The major, sub-major, and minor drainage basin boundary lines are shown in three significant widths of red lines. Existing and proposed flood control projects are located by red stars with open stars representing potential projects while closed stars designate existing projects. Blue triangles represent U.S.G.S. stream discharge gaging stations with righted triangles representing stations active as of January 1, 1970, and inverted triangles representing those stations, used in the past, but now discontinued. Green areas on the maps represent presently irrigated land according to the county-wide surveys being conducted by the water resources survey division, Montana Water Resources Board.

The last two maps in the Atlas are prepared by the Montana Water Resources Board staff from information supplied by cooperating agencies.

The first is one prepared through a joint effort of the Water Board and the Montana Fish and Game Department. Shown in green are the fishing access sites, state parks and monuments, and state recreation areas maintained by the Fish and Game Department throughout the State. An index to this map provides the proper names of each of these sites as of January 1, 1970.

The last map in the Atlas shows mountain precipitation by colored isohyet lines representing increments of annual precipitation above 20 inches. This map was prepared in cooperation with the Soil Conservation Service and the National Weather Service.

This detailed information should make clear the detailed planning of our comprehensive, statewide program.

The unification of our statewide plan of state court adjudication of water rights is evident in our approach toward Indian water rights and Federal reserved rights.

The Compact Commission is organized; is working; is talking with the Indian tribes concerning compacts on their water. The Compact Commission is attempting to secure talks with the Forest Service.

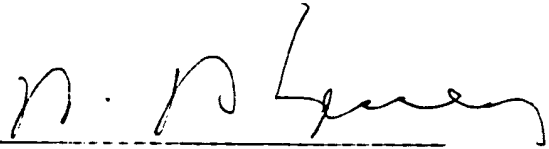
All of this procedure is considered by the Water Courts because in the words of the law, ". . . the water and water rights within each water division are interrelated, it is the intent of the legislature to conduct unified proceedings for the

general adjudication of existing water rights. . ."

And so the Water Courts Rule of Court Number 10 and its findings of fact on compacts and federal reservations meet the requirement for unified proceedings. And in some extreme cases to meet what the words of the statute call "the orderly administration of water rights prior to the issuance of a preliminary decree" the Water Court can use an "interlocutory" or "temporary" decree.

In any event, the statewide unified adjudication of water goes on.

DATED this 28 day of July, 1984.


W. W. LESSLEY
Chief Water Judge
P.O. Box 879
Bozeman, MT 59715

BASIN

4/N

**NOTICE OF ENTRY OF
PRELIMINARY DECREE AND
NOTICE OF AVAILABILITY**

IN THE WATER COURTS OF THE STATE OF MONTANA
LOWER MISSOURI DIVISION - WILLOW CREEK BASIN (41N)

NOTICE OF ENTRY OF PRELIMINARY DECREE AND
NOTICE OF AVAILABILITY

Since you have filed a claim for a water right existing before July 1, 1973, we are sending with this Notice your abstract of your claim entered on the Willow Creek Basin.

However, if you received a certificate or applied for a "water use permit to appropriate" or reserve water under the 1973 Water Use Act do not expect to receive an abstract of that document.

This Notice is being sent to others as required in 85-2-232 MCA.

WHAT IS A PRELIMINARY DECREE

A Preliminary Decree decides the water rights in the Willow Creek Basin and lists those water rights.

If you don't agree with what it decides as to your right or any other water right which may affect your water right claims, you may file an objection, request a hearing and the Water Courts will hear it. See the general Findings of Fact and Conclusions of Law for further explanation of your right.

A water right in the Preliminary Decree remains unchanged and will be so entered in the Final Decree if it is not objected to during the objection period. However, if determinations of Indian and Federal reserved water rights present circumstances affecting that water right, additional objections may be filed.

IF A RIGHT IS NOT OBJECTED TO, IT SHALL REMAIN UNCHANGED AND BE ENTERED IN THE FINAL DECREE.

HOW YOU FILE AN OBJECTION AND REQUEST A HEARING

AN OBJECTION MUST BE FILED PURSUANT TO WATER COURTS RULE #6 AND ON THE FORMS PROVIDED BY THE WATER COURTS.

ALL OBJECTIONS MUST BE FILED AND RECEIVED BY THE 9th DAY OF October, 1984. Objections must be sent to the Montana Water Courts, P.O. Box 879, Bozeman, MT 59715.

CAN YOU GET AN EXTENSION?

Extension for filing objections may be granted by the Water Judge. Requests must be received by the Water Courts on or before the 9th day of October, 1984. USE THE FORM FURNISHED BY THE WATER COURTS AND FOLLOW WATER COURT RULE #7.

If an extension is granted, it applies to all within this Basin. A copy of the Order granting an extension may be seen at the Clerk of Court offices listed below.

WHERE YOU CAN SEE OR GET THE PRELIMINARY DECREE (OR FINDINGS OF FACT AND CONCLUSIONS OF LAW) FOR THE WILLOW CREEK BASIN

See it at:

(Over Please)

1. Water Courts Office, P.O. Box 879, 601 Haggerty Lane, Bozeman, MT 59715
2. Department of Natural Resources, Water Rights Bureau, 32 South Ewing, Helena, MT 59620
3. Department of Natural Resources Field Office, P.O. Box 1828, 1708 West Second Street, Havre, MT 59501
4. Clerk of the Court, Liberty County, Chester, MT 59522
5. Clerk and Recorder, Liberty County, Chester, MT 59522
6. Clerk of the Court, Toole County, Shelby, MT 59474
7. Clerk and Recorder, Toole County, Shelby, MT 59474

Microfilm of the existing water rights claimed and the abstract as reviewed by DNRC at:

1. Water Courts Office, P.O. Box 879, 601 Haggerty Lane, Bozeman, MT 59715
2. Department of Natural Resources, Water Rights Bureau, 32 South Ewing, Helena, MT 59620
3. Department of Natural Resources, Field Office, P.O. Box 1828, 1708 West Second Street, Havre, MT 59501
4. Clerk of the Court, Toole County, Shelby, MT 59474

You can buy a copy of the Preliminary Decree at the Department of Natural Resources, Water Rights Bureau, 32 South Ewing, Helena, MT 59620.

Any questions? Call the Water Courts Office at (406) 586-4364.

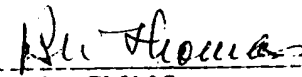
AFTER OBJECTIONS ARE FILED

After the time for filing objections has passed, the Water Courts will notify each party named in the Decree that hearings have been requested and set a date for all interested parties to notify the Water Courts of their intent to participate in any of those hearings.

THE WATER COURT RULES AND FORMS CAN BE FOUND AT THE OFFICES LISTED BELOW:

1. Water Courts Office, P.O. Box 879, 601 Haggerty Lane, Bozeman, MT 59715
2. Clerk of the Court, Liberty County, Chester, MT 59522
3. Clerk of the Court, Toole County, Shelby, MT 59474

DATED this 6th day of July, 1984.



 BERNARD W. THOMAS
 Water Judge
 Lower Missouri Division



MONTANA WATER COURTS

STATE OF MONTANA

WATER JUDGES:

Upper Missouri River Basin
Chief Judge W. W. Lessley
PO Box 679
Bozeman MT 59715

Lower Missouri River Basin
Judge Bernard W. Thomas
PO Box 938
Chinook MT 59523

Clark Fork River Basin
Judge Robert M. Hotter
Lincoln County Courthouse
Libby MT 59923

Yellowstone River Basin
Judge Roy C. Rodeghiero
PO Box 448
Roundup MT 59072

June 29, 1984

Jim Kindle
Records Section
Department of Natural Resources
32 South Ewing
Helena, MT 59620

Re: Willow Creek Basin (41N)

Dear Jim:

Enclosed please find copies of the Order appointing Tim as the Master for this Basin and the Order designating DNRC to mail the Notice of Availability.

If you have any questions, please call.

Sincerely,

Chris Jensen
Clerk

caj
encls.

RECEIVED
JUL 02 1984
MONTANA DEPARTMENT OF
NATURAL RESOURCES & CONSERVATION

IN THE WATER COURTS OF THE LOWER MISSOURI DIVISION
OF THE STATE OF MONTANA

IN RE THE MATTER OF)
THE APPOINTMENT OF A WATER)
MASTER FOR THE WATER COURTS)
OF THE LOWER MISSOURI DIVISION.)
-----)

ORDER

The undersigned, as Water Judge of the Lower Missouri Division, ORDERS that TIMOTHY J. SULLIVAN be, and he is, hereby appointed Water Master for the Lower Missouri Division for the specific purpose of preparing a Water Master's Report for the Willow Creek Basin (Basin 41N) to be submitted to me.

ORDERED that TIMOTHY J. SULLIVAN is appointed as the Water Master of the Lower Missouri Division for the additional and specific purpose of hearing all matters on the Preliminary Decree and related subjects of the Willow Creek Basin.

ORDERED that this appointment takes effect as of the date of this Order.

DATED this 29th day of June, 1984.

Bernard W. Thomas
BERNARD W. THOMAS
Water Judge
Lower Missouri Division

IN THE WATER COURTS OF THE STATE OF LOUISIANA

LOWER MISSOURI DIVISION

WILLOW CREEK BASIN

IN THE MATTER OF THE ADJUDICATION)
OF THE EXISTING RIGHTS TO THE USE)
OF ALL THE WATER, BOTH SURFACE AND)
UNDERGROUND, WITHIN THE WILLOW)
CREEK DRAINAGE AREA, INCLUDING)
ALL TRIBUTARIES OF THE WILLOW)
CREEK IN LIBERTY AND TOOLE)
COUNTIES, LOUISIANA.)
-----)

O R D E R

DESIGNATING THE DNRC TO MAIL NOTICE OF
AVAILABILITY OF THE PRELIMINARY DECREE

This Order complies with the requirements of 85-2-232 MCA
1978.

ORDERED that the Department of Natural Resources and
Conservation send by mail to each person and their successor in
interest, if known, who has filed a claim of existing right in
the Willow Creek Basin (41N), a copy of the Notice of
Availability of the Preliminary Decree on that Basin and an
abstract of the disposition of such person's claim of existing
right.

ORDERED specifically that the Notice of Availability be
mailed to: (1) all parties in the Willow Creek Basin issued
permits for water use in that Basin pursuant to 85-2-301 MCA
1978 or their successor in interest, if known; (2) all parties
who have applied for permits for use of water in the Willow
Creek Basin pursuant to 85-2-301 MCA 1978; (3) all parties who
have been granted a reservation in the Willow Creek Basin

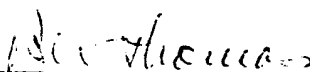
pursuant to 85-2-316 MCA 1978; (4) all parties in the Willow Creek Basin who have received certificates of water rights pursuant to 85-2-306 MCA 1978 for wells under 100 gallons per minute; (5) all federal land management agencies in the Lower Missouri Water Division; (6) all neighboring states of the Lower Missouri Water Division; (7) all Indian tribes of the Lower Missouri Water Division; (8) the County Clerk of Court and Clerk and Recorder of Liberty and Teton counties, Montana, (9) any other persons who have requested service of notice from the Water Judge.

ORDERED that the Montana State Water Courts publish the Notice of Availability in newspapers of general circulation in the Willow Creek Basin, including the Liberty County Times, the Shelby Promoter and the Great Falls Tribune; including any advertisement which may bring the Notice of Availability to the attention of the public.

ORDERED that the Department shall make a general certificate of mailing certifying that a copy of notice has been placed in the United States Mail, postage prepaid and addressed to each party required by this Order to be served notice of the Preliminary Decree.

FINALLY IT IS ORDERED that the original certificate of mailing be filed with the Montana State Water Courts.

DATED this 29th day of June, 1984.


BERNARD W. THOMAS
Water Judge
Lower Missouri Division



WATER MASTER
STATE OF MONTANA
PO BOX 879
BOZEMAN, MONTANA 59715



Jim Kindle
Records Section
Department of Natural Resources
32 South Ewing
Helena, MT 59620

BASIN 4/N

**CERTIFICATE
OF MAILING**

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION
WATER RESOURCES DIVISION



TED SCHWINDEN, GOVERNOR

32 SOUTH EWING

STATE OF MONTANA

HELENA, MONTANA 59620

(406) 444-6601 ADMINISTRATOR
(406) 444-6646 ENGINEERING BUREAU
(406) 444-6668 WATER DEVELOPMENT BUREAU
(406) 444-6601 WATER MANAGEMENT BUREAU
(406) 444-6610 WATER RIGHTS BUREAU

July 27, 1984

Ms. Chris Jenson
Water Courts
Box 879
Bozeman, MT 59715

Dear Chris:

Enclosed is the certificate of mailing for the Willow Creek Basin (Basin 41N). This mailing was completed July 6, 1984.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Kindle".

Jim Kindle
Records Section Supervisor
Water Rights Bureau

Enclosure
JK/jg

WILLOW CREEK BASIN (Basin 41N)

CERTIFICATE OF MAILING

The Notice of Entry of Preliminary Decree and Notice of Availability
for the Willow Creek Basin (Basin 41N)

State of Montana)
County of Lewis and Clark) ss:

I, JAMES E. KINDLE, Records Supervisor for the Water Resources
Division of the Department of Natural Resources and Conservation of the State
of Montana, hereby certify that:

A. The Notice of Entry of Preliminary Decree, Notice of Availability,
and abstracts showing dispositions of each person filing a claim
for the Willow Creek Basin (Basin 41N) has been placed in the United States
Mail, postage prepaid and addressed to each party as per the records of the
Water Rights Bureau, Department of Natural Resources and Conservation, July 6,
1984.

B. The Notice of Entry of Preliminary Decree and Notice of
Availability for the Willow Creek Basin (Basin 41N) has been placed in the
United States Mail, postage prepaid and addressed to each party as per the
records of the Water Rights Bureau, Department of Natural Resources and
Conservation, July 6, 1984 for (1) all parties in the Willow Creek river issued
permits for water use in that basin pursuant to 85-2-301 MCA 1978 or their
successor in interest, if know; (2) all parties who have applied for permits
for use of water in the Willow Creek Basin pursuant to 85-2-301 MCA 1978;
permits for use of water in the Willow Creek Basin pursuant to 85-2-301 MCA
1978; (3) all parties who have been granted a reservation in the Willow Creek
Basin pursuant to 85-2-316 MCA 1978; (4) all parties in the Willow Creek Basin


who have received certificates of water rights pursuant to 85-2-306 MCA 1978 for wells under 100 gallons per minute; (5) all federal land management agencies in the Upper Missouri Water Division; (6) all Indian Tribes in the Upper Missouri Water Division; (7) all neighboring states of the Upper Missouri Water Division; (8) the County Clerk of Court and Clerk and Recorder of Liberty and Toole Counties, Montana; (9) any other persons who have requested service of notice from the Water Judge.

C. The Department of Natural Resources and Conservation sent to the Clerk of Court and Clerk and Recorder of Liberty and Toole Counties entire copies of the Preliminary Decree for the Willow Creek Basin and indexes thereto.

D. The Department of Natural Resources and Conservation sent to the Clerk of Court of Toole County (Shelby, MT) microfilm copies of prima facia claims and Department records for all claims submitted in the Willow Creek Basin.

This mailing and distribution was made under my direction and control on July 6, 1984.

Dated this 27th day of July, 1984.



JAMES E. KINDLE, Supervisor
Records Section, Water Rights Bureau
Water Resources Division
Dept. of Natural Resources and
Conservation
State of Montana

State of Montana)
: ss.
County of Lewis & Clark)

On this 27 day of July, 1984, before me, a Notary Public in and for said state, personally appeared James E. Kindle, known to me to be a Supervisor for the Water Resources Division of the Department of Natural Resources and Conservation, and acknowledges to me that he, in his official capacity, executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.



Jan P. Gilman

Notary Public for the State of Montana
Residing at Helena
My commission expires 1-21-1987

NOTICE TO INTERESTED PARTIES

Basin 41N

(5) All Federal Land Management Agencies in the ^{Upper}~~Lower~~ Missouri Division

Area Director
U.S.D.A. Forest Service
Federal Building
Missoula, MT 59807

Director
Bureau of Land Management
P.O. Box 38600
Billings, MT 59107

Division Engineer
U.S. Army Corps of Engineers
P.O. Box 103
Downtown Station
Omaha, NE 68101

Regional Director
Bureau of Reclamation
316 North 26th Street
Room 3035
Billings, MT 59101

Soil Conservation Service
10 West Babcock
Room 443, Federal Building
Bozeman, MT 59715

(6) All Neighboring States of the ^{Upper}~~Lower~~ Missouri Division

Vernon Fahy
State Engineer
North Dakota State Water Commission
900 East Boulevard
Bismark, ND 58505

(7) All Indian Tribes in the ^{Upper}~~Lower~~ Missouri Water Division

Mr. Michael Fairbanks
Superintendent
Blackfeet Agency
Browning, MT 59417

Mr. Earl Old Person
Chairman
Blackfeet Tribal Business Council
Blackfeet Agency
Browning, MT 59417

Mr. Elmer Main
Superintendent
Fort Belknap Agency
P.O. Box 80
Harlem, MT 59526

Mr. Henry Brockie, Sr.
Fort Belknap Community Council
Gros Ventre & Assiniboine Tribes
Harlem, MT 59526

Mr. Dennis Whiteman
Superintendent
P.O. Box 637
Poplar, MT 59255

Mr. Norman Hollow
Chairman
Fort Peck Tribal Executive Board
Assiniboine & Sioux Tribes
Poplar, MT 59255

Mr. John Pereau
Superintendent
Rocky Boy Agency
Box Elder, MT 59521

Mr. John Windy Boy
Chairman
Chippewa Cree Business Committee
Box Elder, MT 59521

(8)
County Officials

Mr. Darby O'Brien
Clerk of the Court
Liberty County Courthouse
Chester, MT 59522

Mrs. Alma Soper
Clerk and Recorder
Liberty County Courthouse
Chester, MT 59522

Ms. Vivian Hall
Clerk of the Court
Toole County Courthouse
Shelby, MT 59474

Mrs. Elizabeth Munson
Clerk and Recorder
Toole County Courthouse
Shelby, MT 59474

(9)
Other Interested Parties

Department of Natural Resources
Field Office
P.O. Box 1828
Havre, MT 59501

John C. Chaffin
Dept. of Interior
SOL/DER/6045
18th and C Streets NW
Washington, D.C. 20240

Pat Barry
Indian Resource Section
Land and Natural Resources
U.S. Dept. of Justice
10th and Pennsylvania Ave. NW
Washington, D.C. 20530

Regional Director
U.S. Fish and Wildlife Service
P.O. Box 25486
Denver Federal Center
Denver, CO 80225

U.S. Attorney General
Department of Justice Building
Washington, D.C. 20530

U.S. Attorney
Federal Building
Great Falls, MT 59401

Field Solicitor
Room 5931
Federal Building
Billings, MT 59103

Aaron Hostyk
U.S. Army Engineer District Omaha
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P.O. Box 2529
Billings, MT 59103

PRELIMINARY SOURCE ON WILLOW CREEK BASIN
PAGE 41N

**** OWNER LIST ****

ADAMSON DEVON STAR RT BOX 41 SHELBY	ARTHUR	9	59474
ADAMSON DEVON STAR RT BOX 42 SHELBY	DIANA	1	59474
ALKMAN BOX 882 WALDPORF	WILMA	14	47394
ALME 509 N CENTRAL CUT BANK	DONALD	1	59457
ALME KEVIN	HENRY	1	59454
ALME KEVIN	HENRY	1	59454
ALME 533 SIERRA DR ALBUQUERQUE	MARVIN	1	17108
ALME BOX 486 SHELBY	STEVE	1	59474
ALME BOX 48 FERDIS	TERRY	1	59477
ANDERSON PO BOX U SHELBY	CHERIE	1	59474
ANDERSON BOX 15 BALATA	VIVIAN	1	59474

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 411

**** OWNER LIST ****

B & B RANCH CO BOX 44 FERDIG	MT	59437
BAR Z F RANCH INC BOX 205 CAPTER	MT	59420
BASHOR BOX 253 KEVIN	LEONARD MT	G 59454
BAYLEY 32308 TERRITORIAL DR WATERFORD	WALLACE WI	F 53145
BECKMAN HEIRS % H J SCHRECK 215 S GARDEN ST BOX 419 LAKE CITY	MN	55141
BENJAMIN DEVON STAR RT 27 SHELBY	CECIL MT	M 59474
BENJAMIN DEVON STAR RT BOX 45 SHELBY	DELMAR MT	P 59474
BENJAMIN BOX 641 SHELBY	CECIL MT	M 59474
BENJAMIN BOX 796 SHELBY	JOYCE MT	C 59474
BENJAMIN BOX 796 SHELBY	JORMAN MT	M 59474
BENJAMIN, HARRY J & SONS INC PO BOX 44 DEVON STAR RT SHELBY	MT	59474

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41N

**** OWNER LIST ****

BENJAMIN, JR BOX 891 SHELBY	HARRY	H	MT	59474
BIGGS 7110 CIRCLE WAY CITRUS HEIGHTS	GERALDINE		CA	95610
BJO RANCHES INC BOX 426 CHESTER			MT	59522
BRAMMER 506 OILFIELD AVE SHELBY	HENRY		MT	59474
BRONKEN 2 E HAYWARD 1803 PHOENIX	DOROTHY	L	AZ	85020
BRONKEN, IDA G ESTATE OF 924 HILL SHELBY			MT	59474
BUECHLER BOX 86 GALATA	ANNA	B	MT	59444
BUECHLER BOX 80 GALATA	RAY	F	MT	59444
BURLINGTON NORTHERN RAILROAD CO 1ST NW BANK BLDG 10TH FLOOR SUITE 1003 BILLINGS			MT	59101
BUSSELL FARMS INC DEVON STAR PO BOX 85 SHELBY			MT	59474
CHILDERS PO BOX 57 GALATA	FLNER		MT	59444

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41N

**** OWNER LIST ****

CHILDERS PO BOX 53 GALATA	MARJORIE MT	59444
CHILDERS PO BOX 74 GALATA	PILEY MT	59444
CHRISTIAENS PO BOX 31 GALATA	PATRICIA MT	59444
{ CHRISTIAN 511 1ST ST S SHELBY	LOPENE MT	C 59474
{ CHRISTIAN 511 1ST STREET SOUTH SHELBY	LOPENE MT	C 59474
{ CHRISTIAN 511 1ST ST S SHELBY	STEVEN MT	E 59474
{ CHRISTIAN 511 1ST STREET SOUTH SHELBY	STEVEN MT	E 59474
CLARK SWEETGRASS	W CHARLES MT	59484
{ CLARK BOX 21 SWEETGRASS	WALTER MT	C 59484
{ CLARK PO BOX 21 SWEETGRASS	WALTER MT	C 59484
COLLIER 201 TURNER AVE SHELBY	TRAVIS MT	C 59474

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41N

**** OWNER LIST ****

CONNELL 2009 F ST HELLINGHAM	THOMASINE VA	98225
COONS BOX 809 945 TURNER AVE SHELBY	DONALD MT	S 59474
COONS BOX 809 945 TURNER AVE SHELBY	SARA JANE MT	59474
DANIELSON PO BOX 91 FERDIG	EARL MT	E 59437
DANIELSON PO BOX 91 FERDIG	MARY VT	P 59437
DEMAREST BOX 7 WHITLASH	CLAUDE VT	S 59545
DEMAREST BOX 7 WHITLASH	DOUGLAS VT	W 59545
DEMAREST BOX 7 WHITLASH	ELSIE VT	N 59545
DIEMERT LUTHAIR	CLARK VT	E 59451
DIEMERT GALATA	BENNETT VT	59454
DIEMERT LUTHAIR	MELLIE VT	H 59451

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41N

**** OWNER LIST ****

DOUBLE L INC BOX 2 CHESTER	VT		59522
DYRDAHL BOX 62 DEVON STAR PT SHELBY		JENNIE	VT 59474
DYRDAHL BOX 62 DEVON STAR PT SHELBY		JOHN	R VT 59474
EAGLE CREEK COLONY RR GALATA	VT		59444
EIDE GALATA		LESTER	M VT 59444
ENGELN BOX 297 LAKESIDE		HELEN	A VT 59922
FENGER / GERALD FARMS INC RR BOX 7 GALATA	VT		59444
FIVE H CATTLE CO PO BOX J SHELBY	VT		59474
FLAGE PO BOX 31 GALATA		ALVINA	VT 59444
FLAGE PO BOX 31 GALATA		GRANT	VT 59444
FLESCH 725 1ST ST SHELBY		LEO	VT 59474

PRELIMINARY DECREE ON WILLOW CREEK BASIN
 BASIN 41N

**** OWNER LIST ****

FLESCH FARMS INC BOX 645 SHELBY	MT	59474
FRANK W 3231 BOONE SPACE 125 SPOKANE	WA	99201
FRANSEN STAR RT SHELBY	MT	59474
FRANSEN BROTHERS STAR RT SHELBY	MT	59474
FREDERICKSON FARMS INC BOX 611 CHESTER	MT	59522
FRITZ BOX N CHESTER	MT	59522
FRITZ BOX 280 CHESTER	MT	59522
FRITZ BOX N CHESTER	MT	59522
FRITZ BOX 280 CHESTER	MT	59522
FRITZ BOX 280 CHESTER	MT	59522
FRITZ BOX 280 CHESTER	MT	59522

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41N

**** OWNER LIST ****

GAGNER 435 BENTON ST SHELBY	EDWARD	O	MT	59474
GIBSON PO BOX 6 CHESTER	LEORA	M	MT	59522
GIBSON 512 9TH AVE S SHELBY	MAY	C	MT	59474
GIBSON PO BOX 6 CHESTER	TED	A	MT	59522
GIDEON 2009 F ST SELLINGHAM	DALE		WA	98225
GLEE PO BOX 113 GALATA	LYLE		MT	59444
GLEE PO BOX 113 GALATA	BOB		MT	59444
GOLDEN FIELDS FARM PO BOX 27 GALATA			VT	59444
GREEN BOX 203 KEVIN	DANNY	D	MT	59434
GREEN COULEE RANCH BOX 233 SUNBURST			VT	59432
GREENE 20 BRIAN L ST 2 DAWSON	BLANCHE		IL	95688

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41N

**** OWNER LIST ****

GRIFFIN	DONNA	M	
CHESTER		MT	59522
GRIFFIN	ROBERT	M	
CHESTER		MT	59522
GUMMER 40X 324 CHESTER	THOMAS	J	
		MT	59522
HARETS PO BOX 30 VALIEK	EMILE	H	
		MT	59486
HAGEN BOX 873 SHELBY	ALVIN	M	
		MT	59474
HAGEN BOX 873 S. ELBY	EMMA	M	
		MT	59474
VALVERSON PJ BOX 56 GALATA	HENRY		
		MT	59444
HANSON	CAROLE	J	
GALATA		MT	59444
HANSON	CAROLE	R	
GALATA		MT	59444
HANSON	JOHN	R	
GALATA		MT	59444
HARDAKER 2965 UNION ST EAST TROY	DONAH	J	
		WI	53120

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41N

**** OWNER LIST ****

HARIG 7019 130 AVE NE KIRKLAND	BARBARA WA	98033
HARIG 7019 130 AVE NE KIRKLAND	CLARENCE WA	98033
HARWOOD PO BOX 04 SHELBY	JOHN DEVON STAR RT MT	59474
HARWOOD PO BOX 66 GALATA	LINDA MT	59444
HARWOOD PO BOX 64 DEVON STAR RT SHELBY	RICHARD MT	59474
HARWOOD PO BOX 04 SHELBY	RICHARD DEVON STAR RT MT	59474
HARWOOD PO BOX 66 GALATA	RICHARD VT	59444
HARWOOD 0202 SE 22ND MERCER ISLAND	ROBERT WA	98040
HASQUET 104 E GRANITE AVE SHELBY	JULIUS VT	59474
HASQUET 325 12TH AVE N SHELBY	LOUIS MT	59474
HASQUET 112 1ST ST N SHELBY	ROBERT VT	59474

PRELIMINARY DEGREE ON WILLOW CREEK BASIN
BASIN 41N

**** OWNER LIST ****

HASQUET 325 12TH AVE SHELBY	VETA	MT	M	59474
HAWKINS BOX 748 SHELBY	FRED	MT	H	59474
HAWKINS BOX 748 SHELBY	JOE	MT	W	59474
HAWKS STAR RT BOX 12 GALATA	ADRIAN	MT	L	59444
HAWKS N STAR RT BOX 29 CHESTER	CLAUDE	MT	L	59522
HAWKS CHESTER	DALE	MT		59522
HAWKS CHESTER	HENRY	MT		59522
HEATH 311 8TH AVE S SHELBY	ALMA	MT	L	59474
HELLINGER DEVON STAR RT SHELBY	DEAN	MT	H	59474
HELLINGER DEVON STAR RT SHELBY	DONALD	MT	R	59474
HELLINGER BROTHERS DEVON STAR RT SHELBY		MT		59474

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41N

**** OWNER LIST ****

HENRY PO BOX 19 GALATA	HAROLD	E	59444
MOFER BROS CHESTER		VT	59522
MOJDEK VOEGELES BELGRADE	ARNOLD MOBILE PARK 15	VT	59714
MOJDEK DRAWER H SHELBY	CHARLES	VT	59474
MOJDEK DRAWER H SHELBY	KATHERINE	VT	59474
MUTH 3023 W 214TH ST MATTESON	LOUISE	IL	60443
ISH INC BOX L CHESTER		VT	59522
J & A ENTERPRISES INC PJ BOX 050 SHELBY		VT	59474
JENSEN FERDIG	RONALD	VT	59437
JOHANNSEN 835 HILL ST SHELBY	DONALD	VT	59474
JOHANNSEN STAR RT SHELBY	FRANCIS	VT	59474

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41N

**** OWNER LIST ****

JOHNSON 234 GRANITE AVE SHELBY	MARIUS MT	C 59474
JOHNSON 234 GRANITE AVE SHELBY	MYRTLE MT	L 59474
JOHNSON N 8927 COCHRAN SPOKANE	RAYMOND WA	A 99208
JOYCE 355 1ST AVE CHULA VISTA	IRENE CA	92010
KALBFLEISCH PO BOX 806 SHELBY	JAMES MT	I 59474
KALBFLEISCH PO BOX 579 SHELBY	NORMAN MT	P 59474
KALBFLEISCH PO BOX 806 SHELBY	RAE MT	V 59474
KANNING BOX 888 SHELBY	LLOYD MT	C 59474
KANNING FARMS INC BOX 740 SHELBY		MT 59474
KELLEHER BROS BOX 207 SHELBY		MT 59474
KIEFER 950 HILL ST SHELBY	GARY MT	L 59474

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41N

**** OWNER LIST ****

KINYON DEVON STAR RT BOX 55 SHELBY	HOWARD	L	MT	59474
KINYON DEVON STAR RT BOX 58 SHELBY	VIRGINIA	B	MT	59474
KINYON COULEE FARM BOX 43 GALATA			MT	59444
KINYON, DALE & BARRY FARMS PO BOX 115 GALATA			MT	59444
KIRK # 3231 BOONE SPACE 125 SPOKANE	ROBERT	E	WA	99201
KLEINERT 310 5TH ST N SHELBY	ELIZABETH	B	MT	59474
KLEINERT 310 5TH ST N SHELBY	WILLIAM	J	MT	59474
KLINE RT 1 BOX 2 DSE BOARDMAN	ROLAND	M	OR	97318
KOHLES & KOHLES BOX 5 SUNBURST			MT	59482
KULSTAD GALATA	LEO	S	MT	59444
KULSTAD GALATA	MARTHA	H	MT	59444

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41N

**** OWNER LIST ****

KOVATCH 506 S MARYLAND CONRAD	ANDREW MT	J 59425
KOVATCH 506 S MARYLAND CONRAD	MARIAN MT	E 59425
LAAS CHESTER	AUGUST MT	59522
LAAS CHESTER	CHARLES MT	59522
LECK BOX 84 GALATA	DAVID MT	E 59444
LECK PO BOX 95 GALATA	STEVEN VT	C 59444
LERUM PO BOX 56 GALATA	MONTE MT	59444
LUHR BOX 205 CARTER	AUDIE MT	59420
MARKUSON PO BOX 24 GALATA	DUANE MT	59444
MARKUSON PO BOX 24 GALATA	HAROLD VT	J 59444
MARKUSON PO BOX 24 GALATA	THEODORA VT	59444

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41N

**** OWNER LIST ****

MARSHALL STAR RT SHELBY	CHARLOTTE MT	L 59474
MARSHALL STAR RT SHELBY	ROBERT MT	59474
MARSHALL FARMS INC STAR RT SHELBY		MT 59474
MATTESON GALATA	DOLORES MT	A 59444
MATTESON GALATA	LEONARD MT	M 59444
MCCARTER SHELBY STAR RT SHELBY	JOHN MT	59474
MCCARTER GALATA	WILLIAM MT	J 59444
MCDERMOTT BOX 353 OILMONT	CHARLOTTE MT	J 59466
MCDERMOTT BOX 353 OILMONT	HENRY MT	E 59466
MCDERMOTT FERDIG	RUTH MT	A 59437
MCGILLIS 4401 RIVER DR W GREAT FALLS	DONALD MT	59401

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41H

**** OWNER LIST ****

<p>MC GILLIS 1/2 HAMILTON RANCH BOX 88 SIMMS</p>	<p>PATRICIA</p>	<p>H</p>	<p>MT</p>	<p>59477</p>
<p>MC KECHNIE DUNKIRK RT SHELBY</p>	<p>JAMES</p>		<p>MT</p>	<p>59474</p>
<p>MC KECHNIE DUNKIRK RT SHELBY</p>	<p>RUTH</p>		<p>MT</p>	<p>59474</p>
<p>MCLEAN DEVON STAR RT SHELBY</p>	<p>LSTHER</p>		<p>MT</p>	<p>59474</p>
<p>MCLEAN DEVON STAR RT SHELBY</p>	<p>LLOYD</p>	<p>A</p>	<p>MT</p>	<p>59474</p>
<p>MENHAM 540 8TH AVE S SHELBY</p>	<p>COBRINE</p>	<p>I</p>	<p>MT</p>	<p>59474</p>
<p>MERMAID HAVEN INC BOX 121 LOTHAIR</p>			<p>MT</p>	<p>59461</p>
<p>MOLLER 1/2 A SWANSON AGENCY BOX CHATEAU</p>	<p>DORA</p>	<p>E</p>	<p>MT</p>	<p>59422</p>
<p>MONTANA, STATE OF BOARD OF LAND COMMISSIONER DEPARTMENT OF STATE LANDS CAPITOL STATION HELENA</p>			<p>MT</p>	<p>59420</p>
<p>MORRIS</p>	<p>TURAN</p>	<p>C</p>	<p>MT</p>	<p>59545</p>
<p>WHITLASH</p>			<p>MT</p>	<p>59410</p>
<p>MOSHER BOX 285 AUGUSTA</p>	<p>FERN</p>	<p>V</p>	<p>MT</p>	<p>59410</p>

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41N

**** OWNER LIST ****

MOSHER BOX 285 AUGUSTA	RICHARD MT	59410
MUNSON 760 N MARIAS SHELBY	RONALD MT	59474
MUZATKO N 6927 COCHRAN SPOKANE	INA WA	99238
NESBO PO BOX 411 SHELBY	JOHN MT	59474
NORTHWESTERN UNION TRUST CO BOX 5011 GREAT FALLS	MT	59403
NUTTER BOX 480 SUNBURST	JOHN MT	59482
NUTTER BOX 486 SUNBURST	PEGGY MT	59482
OBRIEN 105 AGATE DR LEWISTOWN	WALTER MT	59457
OLSON 5045 AVON DR MOUND	DURCHY MN	55364
ORAW BOX 178 CHESTER	LILLY MT	59522
OSTREM BALATA	LEONARD MT	59444

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41N

**** OWNER LIST ****

PACE SR 1 BOX 10 PO BOX 320 SUNBURST	OTTO MT		59482
PANSELL BOX 82 WHITLASH	ROBERT MT	M	59545
PEERS BOX 127 SHELBY	ALLEN MT	L	59474
PETERSCHICK RR BOX 26 GALATA	ELSIE MT	J	59444
PETERSON PO BOX 40 DEVON STAR RT SHELBY	FRANCES MT	A	59474
PETERSON PO BOX 40 DEVON STAR RT SHELBY	INGWALD MT	J	59474
PLEASANT VIEW FARM PO BOX 438 SUNBURST	 MT		59482
RANKIN BOX 24 FERDIG	GEORGE MT	J	59437
RANKIN BOX 24 FERDIG	JEANETTE MT	J	59437
REITSCH 12100 URBIND DR WARM MINERAL SPRINGS VENICE	HELEN FL		33595
REITSCH 2 CARL F FORSTER BOX 11557 MILWAUKEE	HELEN 2824 W STOWELL AVE WI	S	53211

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41N

**** OWNER LIST ****

ROGERS PO BOX 831 SHELBY	JABEZ MT	W 59474
RUNNING RR BOX 26 GALATA	WILLARD MT	59444
RUSSELL NW SHELBY SHELBY	ELIZABETH MT	59474
RUSSELL NW SHELBY SHELBY	RALPH MT	K 59474
SCALESE BOX 22 GALATA	AMBJORG MT	59444
SCALESE GALATA	EMILY MT	O 59444
SCALESE BOX 22 GALATA	HALES MT	59444
SCALESE GALATA	THOMAS MT	J 59444
SCHRECK BOX 297 LAKESIDE	HELEN MT	E 59922
SCHULZ 404 ASHLEY COURT KALISPELL	VICKI MT	E 59901
SCHWANDNER SCHILTERN TX 14 P. WERNBERG OPE WEST GERMANY 475	MICHAEL	

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41N

**** OWNER LIST ****

SEWARD STAR RT SHELBY	RAYMOND MT	" 59474
SEWARD STAR RT SHELBY	WILLIS MT	F 59474
SIMMONS 710 1ST ST S SHELBY	AMPARITA MT	59474
SISK RANCH INC PO BOX 10 GALATA	MT	59444
SKARI, O M & SONS INC BOX 290 CHESTER	MT	59522
SMITH PO BOX 03 GALATA	FRANCIS MT	9 59444
SMITH 930 TURNER AVE SHELBY	GINA VT	H 59474
SMITH 1113 1ST S SHELBY	LAWRENCE VT	G 59474
SMITH 1113 1ST S SHELBY	LUCILE VT	Z 59474
SNUFFER BOX 15 GALATA	DARWIN VT	59444
SNUFFER BOX 15 GALATA	DORIS MT	59444

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41N

**** OWNER LIST ****

STAUDACHER BOX 212 CHESTER	ESTHER VT	V 59522
STOLTZ & STOLTZ PO BOX 377 SUNBURST	VT	59432
STRATTON 600 GILFIELD AVE SHELBY	ELDRED VT	59474
SUN AG INC PO BOX 32 GALATA	VT	59444
SUTA BOX 313 SUNBURST	JJANITA VT	A 59482
SUTA FERDIG	KALMAN VT	A 59437
SUTA BOX 313 SUNBURST	LOUIS VT	L 59432
SUTA FERDIG	MAHEL VT	59437
SVEUM RR SWEETGRASS	ALBERT VT	59434
SVEUM BROTHERS STAR RT GALATA	VT	59444
THUSS 24 HERITAGE CIRCLE APT MADISON	FRANK WI	53711

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41N

**** OWNER LIST ****

TOMSHECK DAROLD
PO BOX 224
SUNBURST MT 59432

TOTUSHEK ALICE M
18301 COVINGTON RD
MINNETONKA MN 55343

TRIPLE G FARMS INC
90X 39R
CHESTER MT 59522

TURNER MARIAN F
RR BOX 26
FERDIG MT 594370026

TURNER REYNOLDS M
RR BOX 26
FERDIG MT 594370026

US DEPT OF INTERIOR FISH & WILDLIFE SERVICE
PO BOX 25436
DENVER FEDERAL CENTER CO 80225

VAKOFF TONY G
90X 475
SHELBY MT 59474

VIOLETT FARMS INC
LUTHAIR MT 59461

WALLEWEIN GRAIN & CATTLE INC
BOX 285
SUNBURST MT 59432

WARD TERESA S
GALATA MT 59444

WEHR RONALD J
BOX 67
WHITLASH MT 59545

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41N

**** OWNER LIST ****

WEHR BOX 97 WHITLASH	VIRGINIA	M	59545
WELKER BOX 808 SHELBY	HOWARD	E	59474
WELKER BOX 808 SHELBY	JAMES	F	59474
WELKER 211 W CASCADE AVE SHELBY	MILES	E	59474
WELLS 300 5TH ST N SHELBY	JOHN	H	59474
WELLS 300 5TH ST N SHELBY	MARY JENN	WT	59474
WEST HILM AGRIC INC BOX 255 KEVIN		WT	59454
WESTERMARK 975 TURNER AVE SHELBY	CARL	O	59474
WESTERMARK 975 TURNER AVE SHELBY	KARL	H	59474
WESTERMARK 975 TURNER AVE SHELBY	WALLACE	H	59474
WESTERMARK 975 TURNER AVE SHELBY	WILMA	WT	59474

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41N

*** OWNER LIST ***

WESTERMARK & SONS 975 TURNER AVE SHELBY	MT	59474
WHITE JOHN BOX 23 DEVON STAR RT SHELBY	MT	59474
WHITE BROS DEVON SR SHELBY	MT	59474
WHITNEY OLIVIA 922Y MILDRETH SOUTHGATE	CA	90280
WICKUM RICHARD CHESTER	MT	59522
WICKUM ROY CHESTER	MT	59522
WIGEN ARTHUR DEVON STAR RT PO BOX 28 SHELBY	MT	59474
WIGEN BROTHERS DEVON STAR RT PO BOX 28 SHELBY	MT	59474
WILLIAMS LEON 2801 MILWOOD AVE TOLEDO	OH	43606
WILLIAMS LEON 2801 MILWOOD AVE TOLEDO	OH	43606
WILLIAMS WILLIAM PO BOX 822 WALDPORT	OR	97394

PRELIMINARY DECREE ON WILLOW CREEK BASIN
BASIN 41N

**** OWNER LIST ****

WILLOW RIDGE RANCH RR BOX 32 GALATA	MT	59444
WOLDTVEIT 109 MAIN SHELBY	ANNA MAE MT	59474
WOLDTVEIT PO BOX 343 OILMONT	DAVID MT	E 59466
WOLDTVEIT PO BOX 343 OILMONT	ELTON MT	S 59466
WOLDTVEIT 109 MAIN SHELBY	MELTON MT	T 59474
WOLFE BOX 681 SHELBY	EVELYN MT	M 59474
WOLFE BOX 851 SHELBY	GARY MT	A 59474
WOLFE BOX 758 SHELBY	HARRY MT	L 59474
WOOD BOX 29 GALATA	JAMES MT	K 59444
WOOD BOX 29 GALATA	NORVA MT	J 59444
ZELENKA GALATA	PAYMOND MT	E 59444

06/27/84 1740
RIMROCK COLONY

PRELIMINARY DECREE - TRANSFERRED OWNERS TO BE NOTICED - BASIN 41N
RR

GALATA

PAGE 1
WT

Poor Film
See Records
for Better Copy.

BASIN 4/N

**WATER COURT ORDERS
AND CORRESPONDENCE
PRELIMINARY DECREE**

IN THE WATER COURTS OF THE STATE OF MONTANA

UPPER MISSOURI DIVISION

WILLOW CREEK RIVER BASIN

IN THE MATTER OF THE ADJUDICATION)
OF THE EXISTING RIGHTS TO THE USE)
OF ALL THE WATER, BOTH SURFACE AND)
UNDERGROUND, WITHIN THE WILLOW CREEK)
DRAINAGE AREA, INCLUDING ALL)
TRIBUTARIES OF WILLOW CREEK IN)
LIBERTY AND TOOLE COUNTIES, MONTANA)

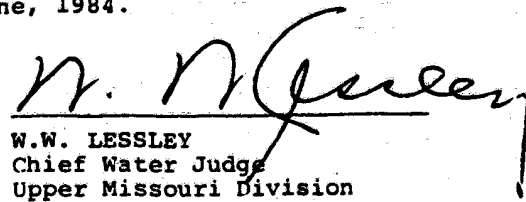
O R D E R

This Judge has executed jurisdiction of Willow Creek Basin, (41N).

The Court finds that the Report meets the requirements for the Preliminary Decree set forth in 85-2-231(1) MCA 1978. The Court, being satisfied with the Findings of Fact and Conclusions of Law contained in the Report, hereby

ORDERS that the Water Master's Report (attached herein) and the abstracts of the individual water rights in the Willow Creek Basin be adopted as the Preliminary Decree for that Basin pursuant to Section 85-2-231(3) MCA 1978.

DATED this 29th day of June, 1984.


W.W. LESSLEY
Chief Water Judge
Upper Missouri Division

cc: Water Courts Office
P.O. Box 879
601 Haggerty Lane
Bozeman, MT 59715

Department of Natural Resources
Water Rights Bureau
32 South Ewing
Helena, MT 59620

Clerk of the Court
Liberty County
Chester, MT 59522

Department of Natural Resources
Field Office
P.O. Box 1828
1708 West Second Street
Havre, MT 59501

Clerk and Recorder
Liberty County
Chester, MT 59522

Clerk and Recorder
Toole County
Shelby, MT 59474

Clerk of the Court
Toole County
Shelby, MT 59474

IN THE WATER COURTS OF THE STATE OF MONTANA

UPPER MISSOURI DIVISION

WILLOW CREEK RIVER BASIN

IN THE MATTER OF THE ADJUDICATION)
OF THE EXISTING RIGHTS TO THE USE)
OF ALL THE WATER, BOTH SURFACE AND)
UNDERGROUND, WITHIN THE WILLOW CREEK)
DRAINAGE AREA, INCLUDING ALL)
TRIBUTARIES OF WILLOW CREEK IN)
LIBERTY AND TOOLE COUNTIES, MONTANA.)

NUNC PRO TUNC ORDER

The Water Master of this Basin is Timothy J. Sullivan and
the Judge of this Basin is Chief Water Judge W. W. Lessley.

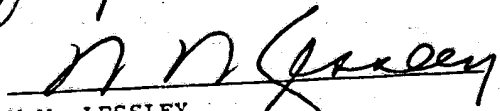
Through clerical error the Basin was located in the "LOWER
MISSOURI DIVISION" when in fact it should have been located in the
"UPPER MISSOURI DIVISION".

Therefore an Order that this clerical error will be corrected.

ORDER that all documents heretofore filed shall be deemed
corrected to read "UPPER MISSOURI DIVISION" and the presiding

Judge will be and is Chief Water Judge W. W. Lessley.

DATED this 10 day of July, 1984.


W.W. LESSLEY

cc: Water Courts Office
P.O. Box 879
601 Haggerty Lane
Bozeman, MT 59715

Department of Natural Resources
Water Rights Bureau
32 South Ewing
Helena, MT 59620

Department of Natural Resources
Field Office
P.O. Box 1828
1708 West Second Street
Havre, MT 59501

Clerk of the Court
Liberty County
Chester, MT 59522

cc: Clerk and Recorder
Liberty County
Chester, MT 59522

Clerk and Recorder
Toole County
Shelby, MT 59474

Clerk of the Court
Toole County
Shelby, MT 59474

IN THE WATER COURTS OF THE STATE OF MONTANA

UPPER MISSOURI DIVISION

WILLOW CREEK RIVER BASIN

IN THE MATTER OF THE ADJUDICATION)
OF THE EXISTING RIGHTS TO THE USE)
OF ALL THE WATER, BOTH SURFACE AND)
UNDERGROUND, WITHIN THE WILLOW CREEK)
DRAINAGE AREA, INCLUDING ALL)
TRIBUTARIES OF WILLOW CREEK IN)
LIBERTY AND TOOLE COUNTIES, MONTANA.)

NUNC PRO NUNC ORDER

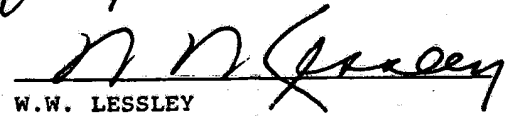
The Water Master of this Basin is Timothy J. Sullivan and
the Judge of this Basin is Chief Water Judge W. W. Lessley.

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Therefore an Order that this clerical error will be corrected.

ORDER that all documents heretofore filed shall be deemed
corrected to read "UPPER MISSOURI DIVISION" and the presiding
Judge will be and is Chief Water Judge W. W. Lessley.

DATED this 10 day of July, 1984.


W.W. LESSLEY

cc: Water Courts Office
P.O. Box 879
601 Haggerty Lane
Bozeman, MT 59715

Department of Natural Resources
Water Rights Bureau
32 South Ewing
Helena, MT 59620

Department of Natural Resources
Field Office
P.O. Box 1828
1708 West Second Street
Havre, MT 59501

Clerk of the Court
Liberty County
Chester, MT 59522

cc: Clerk and Recorder
Liberty County
Chester, MT 59522

Clerk and Recorder
Toole County
Shelby, MT 59474

Clerk of the Court
Toole County
Shelby, MT 59474



W.W. Lessley
 CHIEF WATER JUDGE
 MONTANA WATER COURTS
 STATE OF MONTANA
 PO BOX 879
 BOZEMAN, MONTANA 59715



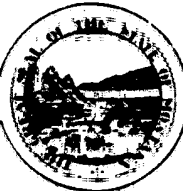
CERTIFIED
P 424 742 066

Department of Natural Resources
 Water Rights Bureau
 32 South Ewing
 Helena, MT 59620



*Return Receipt
 Requested*





MONTANA WATER COURTS

STATE OF MONTANA

WATER JUDGES:

Upper Missouri River Basin
Chief Judge W W Lessley
PO Box 879
Bozeman MT 59715

Lower Missouri River Basin
Judge Bernard W Thomas
PO Box 908
Chinook MT 59523

Clark Fork River Basin
Judge Robert M. Hoffer
Lincoln County Courthouse
Libby MT 59923

Yellowstone River Basin
Judge Roy C. Raggihero
PO Box 448
Roundup MT 59072

RECEIVED

July 13, 1984

JUL 16 1984

MONT. DEPT. OF NATURAL
RESOURCES

**Jim Kindle
Records Section
Department of Natural Resources
32 South Ewing
Helena, MT. 59620**

Dear Jim:

Enclosed are eighteen (18) sets containing two (2) orders correcting the description from Lower Missouri Division to Upper Missouri Division and naming Judge Lessley the presiding judge for this Basin.

Please attach these orders to your sets of Findings of Fact and Conclusions of Law for Willow Creek Basin.

If you have any questions, please call.

Sincerely,

Janet Lackey
Janet Lackey
Clerk

j1
ENC.

IN THE WATER COURTS OF THE STATE OF MONTANA
UPPER MISSOURI DIVISION
WILLOW CREEK RIVER BASIN

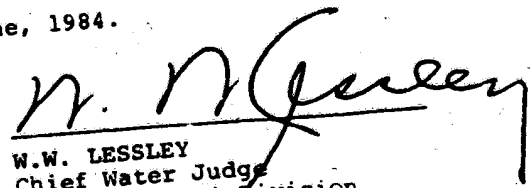
IN THE MATTER OF THE ADJUDICATION)
OF THE EXISTING RIGHTS TO THE USE)
OF ALL THE WATER, BOTH SURFACE AND)
UNDERGROUND, WITHIN THE WILLOW CREEK)
DRAINAGE AREA, INCLUDING ALL)
TRIBUTARIES OF WILLOW CREEK IN)
LIBERTY AND TOOLE COUNTIES, MONTANA)

O R D E R

This Judge has executed jurisdiction of Willow Creek Basin, (41N).

The Court finds that the Report meets the requirements for the Preliminary Decree set forth in 85-2-231(1) MCA 1978. The Court, being satisfied with the Findings of Fact and Conclusions of Law contained in the Report, hereby ORDERS that the Water Master's Report (attached herein) and the abstracts of the individual water rights in the Willow Creek Basin be adopted as the Preliminary Decree for that Basin pursuant to Section 85-2-231(3) MCA 1978.

DATED this 29th day of June, 1984.


W.W. LESSLEY
Chief Water Judge
Upper Missouri Division

cc: Water Courts Office
P.O. Box 875
601 Haggerty Lane
Bozeman, MT 59715

Clerk of the Court
Liberty County
Chester, MT 59522

Clerk and Recorder
Liberty County
Chester, MT 59522

Clerk of the Court
Toole County
Shelby, MT 59474

Department of Natural Resources
Water Rights Bureau
32 South Ewing
Helena, MT 59620

Department of Natural Resources
Field Office
P.O. Box 1828
1708 West Second Street
Havre, MT 59501

Clerk and Recorder
Toole County
Shelby, MT 59474

IN THE WATER COURTS OF THE STATE OF MONTANA

UPPER MISSOURI DIVISION

WILLOW CREEK RIVER BASIN
.....

IN THE MATTER OF THE ADJUDICATION)
OF THE EXISTING RIGHTS TO THE USE)
OF ALL THE WATER, BOTH SURFACE AND)
UNDERGROUND, WITHIN THE WILLOW CREEK)
DRAINAGE AREA, INCLUDING ALL)
TRIBUTARIES OF WILLOW CREEK IN)
LIBERTY AND TOOLE COUNTIES, MONTANA.)

NUNC PRO TUNC ORDER

The Water Master of this Basin is Timothy J. Sullivan and
the Judge of this Basin is Chief Water Judge W. W. Lessley.

Through clerical error the Basin was located in the "LOWER
MISSOURI DIVISION" when in fact it should have been located in the
"UPPER MISSOURI DIVISION".

Therefore an Order that this clerical error will be corrected.

ORDER that all documents heretofore filed shall be deemed
corrected to read "UPPER MISSOURI DIVISION" and the presiding
Judge will be and is Chief Water Judge W. W. Lessley.

DATED this 10 day of July, 1984.


W.W. LESSLEY

cc: Water Courts Office
P.O. Box 879
601 Haggerty Lane
Bozeman, MT 59715

Department of Natural Resources
Water Rights Bureau
32 South Ewing
Helena, MT 59620

Department of Natural Resources
Field Office
P.O. Box 1828
1708 West Second Street
Havre, MT 59501

Clerk of the Court
Liberty County
Chester, MT 59522

cc: Clerk and Recorder
Liberty County
Chester, MT 59522

Clerk of the Court
Toole County
Shelby, MT 59474

Clerk and Recorder
Toole County
Shelby, MT 59474

BASIN 4/N

**MISCELLANEOUS
CORRESPONDENCE,
WATER COURT**

June 19, 1984

AND CONSERVATION
WATER RESOURCES DIVISION



TED SCHWINDEN GOVERNOR

32 SOUTHWING

STATE OF MONTANA

(406) 449-2872 ADMINISTRATOR
(406) 449-2864 ENGINEERING BUREAU
(406) 449-3760 WATER DEVELOPMENT BUREAU
(406) 449-2872 WATER MANAGEMENT BUREAU
(406) 449-3962 WATER RIGHTS BUREAU

HELENA, MONTANA 59620

June 19, 1984

Tim Sullivan
Water Master
Water Courts
PO Box 879
Bozeman, MT 59715

Dear Tim,

Enclosed is the review copy of the
Temporary Preliminary Decree on Willow
Creek, Basin 41N. Please let me know of
any needed changes.

Sincerely,

JIM

Jim Kindle
Records Supervisor
Water Rights Bureau

JK:jg

Enclosure

BASIN

41N

INTERBASIN

TRANSFERS

March 16, 1984

DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION
HAVRE FIELD OFFICE



TED SCHWINDEN, GOVERNOR

P. O. BOX 1828
1708 WEST 2ND STREET

STATE OF MONTANA

(406) 285-5516

HAVRE, MONTANA 59501

March 16, 1984

MEMORANDUM

TO: Jim Kindle, Records Section Supervisor
and
Montana Water Courts

FROM: Roy C. Jones ^{RCJ} Water Rights Specialist
Havre Water Rights Bureau

RE: Basin 41N Interbasin transfers into

Claim #	POD Basin	POU Basin		Owner(s) Name & Address
41P-113495	41P	41N	S	Eagle Creek Colony, RR, Galata, MT 59444
41P-113504	41P	41N	S	Eagle Creek Colony, RR, Galata, MT 59444
41P-113506	41P	41N	S	Eagle Creek Colony, RR, Galata, MT 59444
40F-154790	40F	41N	S	Cherie F. Anderson, P.O. Box U, Shelby, MT 59474
40F-154795	40F	41N	S	Cherie F. Anderson, P.O. Box U, Shelby, MT 59474
40F-154797	40F	41N	S	Cherie F. Anderson, P.O. Box U, Shelby, MT 59474
40F-154799	40F	41N	S	Cherie F. Anderson, P.O. Box U, Shelby, MT 59474
40F-154800	40F	41N	S	Cherie F. Anderson, P.O. Box U, Shelby, MT 59474
40F-154806	40F	41N	S	Cherie F. Anderson, P.O. Box U, Shelby, MT 59474
40F-154810	40F	41N	S	Cherie F. Anderson, P.O. Box U, Shelby, MT 59474
40F-154811	40F	41N	S	Cherie F. Anderson, P.O. Box U, Shelby, MT 59474
40F-154812	40F	41N	S	Cherie F. Anderson, P.O. Box U, Shelby, MT 59474
40F-154816	40F	41N	S	Cherie F. Anderson, P.O. Box U, Shelby, MT 59474
40F-154821	40F	41N	S	Cherie F. Anderson, P.O. Box U, Shelby, MT 59474
40F-154822	40F	41N	S	Cherie F. Anderson, P.O. Box U, Shelby, MT 59474
40F-154825	40F	41N	S	Cherie F. Anderson, P.O. Box U, Shelby, MT 59474

RCJ:tp

DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION
HAVRE FIELD OFFICE



TED SCHWINDEN, GOVERNOR

P. O. BOX 1828
1708 WEST 2ND STREET

STATE OF MONTANA

(406) 265-5516

HAVRE, MONTANA 59501

March 16, 1984

MEMORANDUM

TO: Jim Kindle, Records Section Supervisor
and
Montana Water Courts

FROM: Roy C. Jones, ^{RCJ} Water Rights Specialist
Havre Water Rights Bureau

RE: Basin 41N Interbasin transfers out

The following claims are for waters originating in Basin 41N and which waters are put to use, wholly or in part, outside the basin.

Claim #	POD Basin	POU Basin	S/G	Owner(s) Name & Address
41N-113493	41N	41P	S	Eagle Creek Colony, RR, Galata, MT 59444
41N-113496	41N	41P	S	Eagle Creek Colony, RR, Galata, MT 59444
41N-113497	41N	41P	S	Eagle Creek Colony, RR, Galata, MT 59444
41N-113498	41N	41P	S	Eagle Creek Colony, RR, Galata, MT 59444
41N-113499	41N	41P	S	Eagle Creek Colony, RR, Galata, MT 59444
41N-113500	41N	41P	S	Eagle Creek Colony, RR, Galata, MT 59444
41N-113501	41N	41P	S	Eagle Creek Colony, RR, Galata, MT 59444
41N-113502	41N	41P	S	Eagle Creek Colony, RR, Galata, MT 59444
41N-113503	41N	41P	S	Eagle Creek Colony, RR, Galata, MT 59444
41N-113505	41N	41P	S	Eagle Creek Colony, RR, Galata, MT 59444
41N-113508	41N	41P	S	Eagle Creek Colony, RR, Galata, MT 59444
41N-113509	41N	41P	S	Eagle Creek Colony, RR, Galata, MT 59444
41N-113510	41N	41P	S	Eagle Creek Colony, RR, Galata, MT 59444
41N-153235	41N	40F	S	Ronald & Virginia Wehr, Box 97, Whitlash, MT 59545
41N-153237	41N	40F	S	Ronald & Virginia Wehr, Box 97, Whitlash, MT 59545
41N-153238	41N	40F	S	Ronald & Virginia Wehr, Box 97, Whitlash, MT 59545
41N-153240	41N	40F	S	Ronald & Virginia Wehr, Box 97, Whitlash, MT 59545
41N-153309	41N	41P	S	Mermaid Haven, Inc., Box 121, Lothair, MT 59400
41N-183215	41N	40F	S	U.S. Dept. of Interior, Fish & Wildlife Service, Box 25486, Denver, CO 80225

RCJ:rp

BASIN 4/N

**ACCEPTABLE LAKE AND
RESERVOIR NAMES**

March 16, 1984

DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION
HAVRE FIELD OFFICE



TED SCHWINDEN, GOVERNOR

P. O. BOX 1828
1706 WEST 2ND STREET

STATE OF MONTANA

(406) 265-5516

HAVRE, MONTANA 59501

March 16, 1984

MEMORANDUM

TO: Jim Kindle, Records Section Supervisor
and
Montana Water Courts

FROM: Roy C. Jones, ^{RCJ} Water Rights Specialist
Havre Water Rights Bureau

RE: Basin 41N Source Names

Other than streams, there are only two acceptable source names
in Basin 41N.

Tiber Reservoir - outflowing stream - Marias River.
Chicago Lake - no outflowing nor named inflowing streams.

RCJ:tp

BASIN 41N

**AMENDED CERTIFICATE
OF MAILING
PRELIMINARY DECREE**

Nov. 1, 1984

DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION
HAVRE FIELD OFFICE



TED SCHWINDEN, GOVERNOR

P. O. BOX 1628
1704 WEST 2ND STREET

STATE OF MONTANA

(406) 266-8516

HAVRE, MONTANA 59501

August 7, 1984

MEMORANDUM

TO: Jim Kindle, Records Section Supervisor
FROM: *RJ* Roy C. Jones, Water Rights Specialist
Havre Water Rights Bureau
SUBJECT: Returned Mail - Dorothy L. Bronken

RECEIVED
AUG 08 1984
MONT. DEPT. OF NATURAL
RESOURCES & CONSERVATION

Attached is the complete returned mail file for Dorothy L. Bronken, water rights 41N-W152541-00 through 41N-W152544-00. As you can see from my report, the problem appears to be the sequence in which the owner's address was entered into the computer. Apparently it should have been left as it was on the claim, which is:

Bronken, Dorothy L.
1808 - 2E. Hayward Ave.
Phoenix, AZ 85020

My recommendation is to send the reg Notice materials to Mrs. Bronken at the claimed address.

RCJ:tp
Enclosures

FILMED
AUG 9 - 1984

BY _____



DEPARTMENT OF NATURAL
RESOURCES & CONSERVATION

STATE OF MONTANA

NATURAL RESOURCES BUILDING
32 SOUTH EWING
HELENA, MONTANA 59620

MONTANA OUTDOORS
ALL STATES \$7.00
FISH, WILDLIFE, PARKS
HELENA, MONTANA 59620



RECEIVED
MONTANA OUTDOORS
DEPARTMENT OF NATURAL
RESOURCES & CONSERVATION
HELENA, MONTANA

41N-W152541-00
W152542-00
W152543-00
W152544-00

BRONKEN DOROTHY L
2 E HAYWARD 1808
PHOENIX AZ 8502

POSTAGE
0.87

BASIN 41N

**AMENDED CERTIFICATE
OF MAILING
PRELIMINARY DECREE**

Nov. 1, 1984

AFFIDAVIT OF SERVICE

STATE OF MONTANA)
: ss
County of Hill)

TERRI L. PETERSON, an employee of the Montana Department of Natural Resources and Conservation, being duly sworn on oath, deposes and says that on July 23, 1984, she deposited in the United States mail, Notice of Entry of Temporary Preliminary Decree and Notice of Availability for the Willow Creek Decree, a Water Right Transfer Certificate form and a letter of inquiry concerning water right ownership address changes to the following persons or agencies:

Fransen Brothers
Star Route
Shelby, MT 59474

and

Gust V. Fransen
Star Route
Shelby, MT 59474

Department of Natural Resources
and Conservation

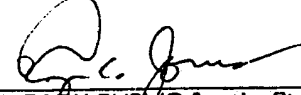
By: 

STATE OF MONTANA)
: ss
County of Hill)

On this 23rd day of July, 1984, before me, a Notary Public in and for said state, personally appeared TERRI L. PETERSON, known to me to be an Administrative Clerk of the Department executed this instrument or the person who executed the instrument on behalf of said Department, and acknowledged to me that such Department executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.




NOTARY PUBLIC for the State of Montana
Residing at Havre, Montana
My Commission expires: April 6, 1987

OCT 29 1984

MONT. DEPT. OF NATURAL
RESOURCES & CONSERVATION RETURNED MAIL RESEARCH RECORD

Date: August 8, 1984

Water Right No.(s): 41N-W121517 through W121519

Owner(s) of Record: Fransen Brothers and Gust V. Fransen

Address of Record: Star Route
Shelby, MT 59474 Star Route
Shelby, MT 59474

Reason Returned: Out of Business

Researched By: Roy C. Jones, Water Rights Specialist
Havre Water Rights Bureau

Research Findings: I phoned Fransen Brothers at the number listed on the claim and got no answer. Next I phoned Gust Fransen as listed in the Shelby phone directory. Mrs. Fransen answered. She said they had paid their attorney to dissolve Fransen Brothers and transfer the property into the name of Gust V. Fransen only. She called her attorney and then got back to me. She requested that I send her the necessary forms to effect the water rights transfer. A cover letter, Water Right Transfer Certificate Form, Notice of Entry of Temporary Preliminary Decree and Notice of Availability was sent.

10/26/84

No response - file mailed to DNRC Records



DEPARTMENT OF NATURAL
RESOURCES & CONSERVATION

STATE OF MONTANA

NATURAL RESOURCES BUILDING
32 SOUTH EWING
HELENA, MONTANA 59620

MONTANA OUTDOORS

6 ISSUES \$7.00

FISH, WILDLIFE, PARKS
HELENA, MT 59620

RETURN TO SENDER
MOVED, LEFT NO ADDRESS
FORWARDING ORDER EXPIRED
OUT OF BUSINESS
BOX CLOSED NO ORDER

FRANSEN BROTHERS
STAR RT
SHELBY

NR 59474

MONTANA DEPT. OF NATURAL
RESOURCES & CONSERVATION
JULY 1987

RECEIVED

W121517 - 41N
W121518 - 41N
W121519 - 41N

BASIN 41N

**AMENDED CERTIFICATE
OF MAILING
PRELIMINARY DECREE**

Nov. 1, 1984

Basin 41N

File No(s). 41N-W-121265-00

AFFIDAVIT OF SERVICE

STATE OF MONTANA)
 : ss
County of Hill)

TERRI L. PETERSON, an employee of the Montana Department of Natural Resources and Conservation, being duly sworn on oath, deposes and says that on August 7, 1984, she deposited in the United States mail, first class mail, Notice of Objection and Request for Preliminary Hearing on the Willow Creek Basin Preliminary Decree, an Address Change form, Abstracts of pertinent water rights, and a letter of inquiry concerning water right ownership address changes to the following persons or agencies:

Geraldine C. Frahm
E. 2121 Upriver Drive #26
Spokane, WA 99201

Robert E. Kirk
E. 2121 Upriver Drive #26
Spokane, WA 99201

Department of Natural Resources
and Conservation

By: TERRI L. PETERSON
TERRI L. PETERSON

STATE OF MONTANA)
 : ss
County of Hill)

On this 7 day of August, 1984, before me, a Notary Public in and for said state, personally appeared TERRI L. PETERSON, known to me to be the GENERAL OFFICE CLERK of the Department executed this instrument or the persons who executed the instrument on behalf of said Department, and acknowledged to me that such Department executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(NOTARIAL SEAL)

[Signature]
Notary Public for the State of Montana
Residing at Havre, Montana
My Commission expires: 04/06/87

RECEIVED

AUG 27 1984

MONTANA D.N.R.C.
HAVRE FIELD OFFICE

CHANGE OF ADDRESS FORM

WATER RIGHT(S) No. 41N-W-121265-00

PRESENT OWNER(S): Geraldine C. Frahm and Robert E. Kirk

W. 3231 Boone Space 125

Spokane, WA 99201

OLD ADDRESS:
Mailing address: W. 3231 Boone Space 125

Spokane, WA 99201

NEW ADDRESS:
Mailing address: E. 2121 Upriver Drive #26

Spokane, Wa 99201

REMARKS: If the above new address is not correct, please make any necessary corrections.

Geraldine C. Frahm and Robert E. Kirk
E. 2121 Upriver Drive #26
Spokane, WA 99201

Geraldine C. Frahm
Robert E. Kirk

Signature(s)

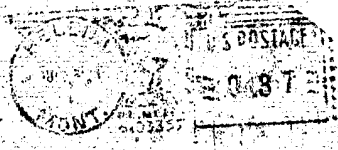
Aug 21, 1984
Date

Return to:
Water Rights Bureau
P. O. Box 1828
Havre, MT 59501



DEPARTMENT OF NATURAL
RESOURCES & CONSERVATION
STATE OF MONTANA
NATURAL RESOURCES BUILDING
32 SOUTH EWING
HELENA, MONTANA 59620

MONTANA 59620
ISSUE 2.00
PARKS
HELENA



RECEIVED

JUL 16 1984

MONT. DEPT. OF NATURAL
RESOURCES & CONSERVATION

RECEIVED

JUL 23 1984

MONTANA D.N.R.C.
HAYRE FIELD OFFICE

KIRK ROBERT E
W 3231 BOONE SPACE 125 WA 99201
SPOKANE

RETURN TO SENDER
ATTEMPTED NOT KNOWN
LATE CARRIER

Not at this Address

W121265-41N

RECEIVED



DEPARTMENT OF NATURAL
RESOURCES & CONSERVATION

STATE OF MONTANA

NATURAL RESOURCES BUILDING
32 SOUTH EWING
HELENA, MONTANA 59620

MONTANA OUTDOORS
6 ISSUES \$7.00
FISH, WILDLIFE, PARKS
HELENA, MT 59620

RECEIVED
JUL 17 1984
MONTANA D.N.R.C.
HAVRE FIELD OFFICE

FRANK GERALDINE C
W 3231 BOONE SPACE 125 WA 99201
SPOKANE

RETURN TO SENDER
POSTAL ORDER EXPIRED
DATE CARRIER

W121265 - 41N

RECEIVED
JUL 11 1984
MONTANA DEPT. OF NATURAL
RESOURCES & CONSERVATION

BASIN 41N

**AMENDED CERTIFICATE
OF MAILING
PRELIMINARY DECREE**

Nov. 1, 1984

Basin 41N

File No(s). 41N-W167254-00
41N-W167255-00 and
41N-P051209-00

AFFIDAVIT OF SERVICE

STATE OF MONTANA)
 : ss
County of Hill)

TERRI L. PETERSON, an employee of the Montana Department of Natural Resources and Conservation, being duly sworn on oath, deposes and says that on July 25, 1984, she deposited in the United States mail, Notice of Objection and Request for Preliminary Hearing on the Willow Creek Basin water rights, and a letter of inquiry concerning water right ownership address changes to the following persons or agencies:

Ronald B. Munson Farms Inc.
760 N. Marias Avenue
Shelby, MT 59474

Department of Natural Resources
and Conservation

By: TERRI L. PETERSON
TERRI L. PETERSON

STATE OF MONTANA)
 : ss
County of Hill)

On this 25th day of July, 1984, before me, a Notary Public for said state, personally appeared TERRI L. PETERSON, known to me to be the GENERAL OFFICE CLERK of the Department executed this instrument or the persons who executed the instrument on behalf of said Department, and acknowledged to me that such Department executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(NOTARIAL SEAL)

[Signature]
Notary Public for the State of Montana
Residing at Havre, Montana
My Commission expires: 04-06-1987

OCT 29 1984

MONT. DEPT. of NATURAL
RESOURCES & CONSERVATION

RETURNED MAIL RESEARCH RECORD

Date: August 8, 1984

Water Right No.(s): 41N-W167254-00, 41N-W167255-00, 41N-P051209-00

Owner(s) of Record: Raymond Seward

Address of Record: Star Rt.
Shelby, MT 59474

Reason Returned: Forwarding Order Expired

Researched By: Roy C. Jones, Water Rights Specialist
Havre Water Rights Bureau

Research Findings: Per the attached letter from the Toole County Clerk and
Recorder, the land pertinent to these water rights now
belong to Ronald B. Munson Farms Inc.
760 N. Marias Ave.
Shelby, MT 59474

A cover letter, Water Right Transfer Certificate Form, Notice
of Entry of Temporary Preliminary Decree and Notice of Availability
were sent to Munson Farms.

10/26/84

No response - file mailed to DWR Records



DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION
WATER RIGHTS BUREAU

STATE OF MONTANA

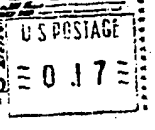
32 SOUTH EWING (V.E.)
HELENA, MONTANA 59620

MONTANA OUTDOORS
6 ISSUES \$7.00



FISH WILDLIFE, PARKS
HELENA, MT 59620

PRESCRIBED
FIRST CLASS



RETURN TO
SEND TO
FORWARDING ORDER EXPIRED
OUT OF BUSINESS
BOX CLOSED NO ORDER

WRB-NA

RAYMEND

MT 59474

SEWARD
STAK RT
SHELEY

ee at the
Bureau, 32 South
ce at (406)

MONT. DEPT. OF NATURAL
RESOURCES & CONSERVATION

RECEIVED
JUL 11 1984

WIN



DEPARTMENT OF NATURAL
RESOURCES & CONSERVATION
STATE OF MONTANA
NATURAL RESOURCES BUILDING
32 SOUTH EWING
HELENA, MONTANA 59620

MONTANA OUTDOORS
ISSUES \$1.00
FISH, WILDLIFE, PARKS
HELENA, MT 59620

POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

HELENA
JUL 17 1984
MONTANA
59620

RECEIVED

JUL 17 1984

MONTANA D.N.R.C.
HAYRE FIELD OFFICE

RETURN
TO
SENDER
MOVED, LEFT NO ADDRESS
FORWARDING ORDER EXP. 10/1/84
OUT OF BUSINESS
BOX CLOSED TO ORDER

RECEIVED
JUL 17 1984
MONT. DEP. OF NATURAL
RESOURCES & CONSERVATION

SEWARD
STAR ET
SHELBY
RAYMOND M
ET 59474

W167254 - 41N
W167255 - 41N

Basin 41N
File No(s). 41N-W007863-00

AFFIDAVIT OF SERVICE

STATE OF MONTANA)
 : ss
County of Hill)

TERRI L. PETERSON, an employee of the Montana Department of Natural Resources and Conservation, being duly sworn on oath, deposes and says that on July 25, 1984, she deposited in the United States mail, first class mail, Notice of Objection and Request for Preliminary Hearing on the Willow Creek Preliminary Decree, an Address Change form, Abstracts of pertinent water rights, and a letter of inquiry concerning water right ownership address changes to the following persons or agencies:

Tony G. Vakoff
c/o Robert & Hettie Appley
902 Birch
Shelby, MT 59474

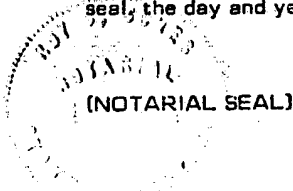
Department of Natural Resources
and Conservation

By: Terri L. Peterson
TERRI L. PETERSON

STATE OF MONTANA)
 : ss
County of Hill)

On this 25th day of July, 1984, before me, a Notary Public in and for said state, personally appeared TERRI L. PETERSON, known to me to be the GENERAL OFFICE CLERK of the Department executed this instrument or the persons who executed the instrument on behalf of said Department, and acknowledged to me that such Department executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



R. C. Jones
Notary Public for the State of Montana
Residing at Havre, Montana
My Commission expires: 04-08-1987

RECEIVED

AUG 8 1984

MONTANA D.N.R.C.
HAVRE FIELD OFFICE

CHANGE OF ADDRESS FORM

WATER RIGHT(S) No. 41N-W007863-00

PRESENT OWNER(S): Tony G. Vakoff

OLD ADDRESS:
Mailing address: c/o Robert & Hattie Appley

902 Birch

Shelby, MT 59474

NEW ADDRESS:
Mailing address: TONY G. VAKOFF

484 BIRCH GROVE DRIVE

KALISPELL, MONTANA 59901

REMARKS:

Tony G. Vakoff

Signature(s)

8-6-84

Date

Return to:
Water Rights Bureau
P. O. Box 1828
Havre, MT 59501

DEPARTMENT OF NATURAL
RESOURCES & CONSERVATION

STATE OF MONTANA

NATURAL RESOURCES BUILDING
32 SOUTH EWING
HELENA, MONTANA 59620

MONTANA OUTDOORS

5 ISSUES \$7.00

WILDLIFE PARKS
HELENA, MT 59620

POSTAGE
PAID



RETURN TO
SENDER
MOVED, LEFT NO ADDRESS
FORWARDING ORDER EXPIRED
OUT OF BUSINESS
BOX CLOSED NO ORDER

RECEIVED
JUL 19 1981
MONT. DEPT. OF NATURAL
RESOURCES & CONSERVATION

VAKOFF TONY G
BOX 475 MT 59474
SHELLEY

~~VAK 75 20000000 07-10-81~~
~~RETURN TO SENDER~~
~~NOT DELIVERABLE AS ADDRESSED~~
~~UNABLE TO FORWARD~~

W007863-41N

Basin 41N

File No(s). 41N-P002327-00

AFFIDAVIT OF SERVICE

STATE OF MONTANA)
 : ss
County of Hill)

TERRI L. PETERSON, an employee of the Montana Department of Natural Resources and Conservation, being duly sworn on oath, deposes and says that on August 7, 1984, she deposited in the United States mail, Notice of Objection and Request for Preliminary Hearing on the Willow Creek Basin water rights, and a letter of inquiry concerning water right ownership address changes to the following persons or agencies:

Henry & Diana Lynn Alme
Box 293
Cut Bank, MT 59427

Department of Natural Resources
and Conservation

By: *TERRI L. PETERSON*
TERRI L. PETERSON

STATE OF MONTANA)
 : ss
County of Hill)

On this 7th day of August, 1984, before me, a Notary Public for said state, personally appeared TERRI L. PETERSON, known to me to be the GENERAL OFFICE CLERK of the Department executed this instrument or the persons who executed the instrument on behalf of said Department, and acknowledged to me that such Department executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(NOTARIAL SEAL)

[Signature]
Notary Public for the State of Montana
Residing at Havre, Montana
My Commission expires: 04/06/87

Basin 41N
File No(s). 41N-P002326-00

AFFIDAVIT OF SERVICE

STATE OF MONTANA)
 : ss
County of Hill)

TERRI L. PETERSON, an employee of the Montana Department of Natural Resources and Conservation, being duly sworn on oath, deposes and says that on August 7, 1984, she deposited in the United States mail, Notice of Objection and Request for Preliminary Hearing on the Willow Creek Basin water rights, and a letter of inquiry concerning water right ownership address changes to the following persons or agencies:

Nepstad Farms
Sunburst, MT 59482

Department of Natural Resources
and Conservation

By: *TERRI L. PETERSON*
TERRI L. PETERSON

STATE OF MONTANA)
 : ss
County of Hill)

On this 7th day of August, 1984, before me, a Notary Public for said state, personally appeared TERRI L. PETERSON, known to me to be the GENERAL OFFICE CLERK of the Department executed this instrument or the persons who executed the instrument on behalf of said Department, and acknowledged to me that such Department executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(NOTARIAL SEAL)

R. C. [Signature]
Notary Public for the State of Montana
Residing at Havre, Montana
My Commission expires: 04/06/87

RETURNED MAIL RESEARCH RECORD

Date: August 9, 1984

Water Right No.(s): 41N-P002326-00

Owner(s) of Record: Nepstad Farms

Address of Record: Sunburst, MT 59462

Reason Returned: Attempted Not Known

Researched By: Roy C. Jones, Water Rights Specialist
Havre Water Rights Bureau

Research Findings: As per the attached letter from the Toole County Clerk and Recorder, the property pertinent to this water right is now owned by: Donald L. Alme
Box 815
Shelby, MT 59474

A cover letter, Water Right Transfer Certificate Form, Notice of Entry of Temporary Preliminary Decree and Notice of Availability was sent to Mr. Alme.

RECEIVED

OCT 29 1984

**MON^T DEPT. OF NATURAL
RESOURCES & CONSERVATION**

10/26/84

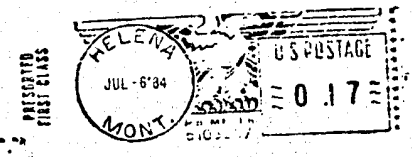
No response - file mailed to DNRC Records

41 N
DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION
WATER RIGHTS BUREAU
STATE OF MONTANA
32 SOUTH EWING
HELENA, MONTANA 59620



MONTANA OUTDOORS
6 ISSUES \$7.00.
FISH, WILDLIFE, PARKS
HELENA, MT 59620

Checked
Amount
No. of
Do
NERSTAD FARMS
SUNBURST



PRESORTED
FIRST CLASS

WRB-NA

MT 59482

RECEIVED
JUL 10 1984
MONTANA DEPT OF NATURAL
RESOURCES & CONSERVATION

BASIN

41 N

**CERTIFICATE
OF MAILING
NOTICE OF OBJECTION
AND REQUEST FOR
PRELIMINARY HEARING**

October 31, 1984

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION
WATER RESOURCES DIVISION



TED SCHWINDEN, GOVERNOR

32 SOUTH EWING

STATE OF MONTANA

HELENA, MONTANA 59620

(406) 444-6603 ADMINISTRATOR
(406) 444-6646 ENGINEERING BUREAU
(406) 444-6668 WATER DEVELOPMENT BUREAU
(406) 444-6601 WATER MANAGEMENT BUREAU
(406) 444-6610 WATER RIGHTS BUREAU

November 2, 1984

Ms. Chris Jenson
Water Courts
Box 879
Bozeman, MT 59715

Dear Chris:

Enclosed is the certificate of mailing for the Notice of Objection and Request for Preliminary Hearing for Willow Creek Basin (Basin 41N). This mailing was conducted October 31, 1984.

Sincerely,

JIM

Jim Kindle
Records Section Supervisor
Water Rights Bureau

Enclosure
JK/jg

WILLOW CREEK BASIN (Basin 41N)

CERTIFICATE OF MAILING

The Notice of Objection and Request for Preliminary Hearing
on the Willow Creek Basin Preliminary Decree (Basin 41N)

State of Montana)
County of Lewis and Clark) SS:

I, JAMES E. KINDLE, Records Supervisor for the Water Resources
Division of the Department of Natural Resources and Conservation of the State
of Montana, hereby certify that:

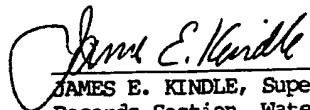
A. The Notice of Objection and Request for Preliminary Hearing for
each person filing a claim for the Willow Creek Basin (Basin 41N) has been
placed in the United States Mail, postage prepaid and addressed to each party
as per the records of the Water Rights Bureau, Department of Natural Resources
and Conservation, October 31, 1984, and updated records of July 6, 1984.

B. The Notice of Objection and Request for Preliminary Hearing for
the Willow Creek Basin (Basin 41N) has been placed in the United States Mail,
postage prepaid and addressed to each party as per the records of the Water
Rights Bureau, Department of Natural Resources and Conservation, October 31,
1984, and updated records of July 6, 1984, for; (1) all parties in the Willow
Creek issued permits for water use in that basin pursuant to 85-2-301, MCA,
1978, or their successor in interest, if known; (2) all parties who have
applied for permits for use of water in the Willow Creek Basin pursuant to
85-2-301, MCA, 1978; (3) all parties who have been granted a reservation in
the Willow Creek Basin pursuant to 85-2-316, MCA, 1978; (4) all parties in the
Willow Creek Basin who have received certificates of water rights pursuant to
85-2-306, MCA, 1978, for wells under 100 gallons per minute; (5) all federal

land management agencies in the Upper Missouri Water Division; (6) all Indian Tribes in the Upper Missouri Water Division; (7) all neighboring states of the Upper Missouri Water Division; (8) the County Clerk of Court and Clerk and Recorder of Liberty and Toole Counties, Montana; (9) any other persons who have requested service of notice from the Water Judge.

This mailing and distribution was made under my direction and control on October 31, 1984.

Dated this 5th day of NOVEMBER.

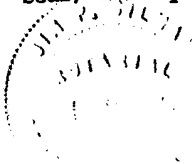


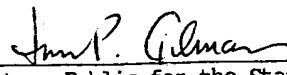
JAMES E. KINDLE, Supervisor
Records Section, Water Rights Bureau
Water Resources Division
Dept. of Natural Resources and
Conservation
State of Montana

State of Montana)
 : ss.
County of Lewis & Clark)

On this 5th day of November 1984, before me, a Notary Public in and for said state, personally appeared James E. Kindle, known to me to be a Supervisor for the Water Resources Division of the Department of Natural Resources and Conservation, and acknowledges to me that he, in his official capacity, executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.





Notary Public for the State of Montana
Residing at Helena
My commission expires 1-21-1987



MONTANA WATER COURTS

STATE OF MONTANA

WATER JUDGES:

Upper Missouri River Basin
Chief Judge W. W. Lessley
P.O. Box 879
Bozeman, MT 59715

Lower Missouri River Basin
Judge Bernard W. Thomas
P.O. Box 938
Chinook, MT 59523

Clark Fork River Basin
Judge Robert M. Horter
Lincoln County Courthouse
Libby, MT 59923

Yellowstone River Basin
Judge Roy C. Rodeghiero
P.O. Box 448
Roundup, MT 59072

October 25, 1984

Jim Kindle
Records Section
Department of Natural Resources
32 South Ewing
Helena, MT 59620

Dear Jim:

Enclosed is a copy of the Order designating
the Department of mail the Notices of Objection.

Thanks.

Sincerely,

Chris Jensen
Clerk

caj
encl.

RECEIVED

OCT 29 1984

MONTANA DEPT. OF NATURAL
RESOURCES & CONSERVATION

"... to expedite and facilitate the adjudication of existing water rights."
CH. 697 L. 1979

AN EQUAL OPPORTUNITY EMPLOYER

IN THE WATER COURTS OF THE STATE OF MONTANA
UPPER MISSOURI DIVISION - WILLOW CREEK BASIN

IN THE MATTER OF THE ADJUDICATION)
OF THE EXISTING RIGHTS TO THE USE)
OF ALL THE WATER, BOTH SURFACE AND)
UNDERGROUND, WITHIN THE WILLOW)
CREEK DRAINAGE AREA, INCLUDING ALL)
TRIBUTARIES OF WILLOW CREEK IN)
LIBERTY AND TOOLE COUNTIES, MONTANA.)

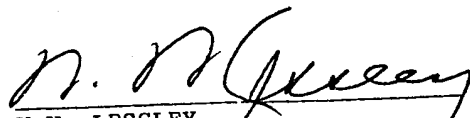
O R D E R
DESIGNATING THE DNRC TO MAIL NOTICES OF OBJECTION AND
REQUEST FOR PRELIMINARY HEARING

ORDERED that the Department of Natural Resources and Conservation send by mail to each person and their successor in interest, if known, who was named in the Preliminary Decree in the Willow Creek Basin (#41N), a copy of the Notice of Objection and Request for Preliminary Hearing.

ORDERED that the Department of Natural Resources and Conservation shall make a general certificate of mailing certifying that a copy of the Notice has been placed in the United States Mail, postage prepaid, and addressed to each party to be served by this Order.

FINALLY IT IS ORDERED that the original certificate of mailing be filed with the Montana State Water Courts.

DATED this 25th day of October, 1984.



W.W. LESSLEY
Chief Water Judge
Montana State Water Courts
P.O. Box 879
Bozeman, MT 59715

MASTER LIST - UPPER MISSOURI DIVISION

NOTICE TO INTERESTED PARTIES

(5)*
All Federal Land Management Agencies in the Upper Missouri Division

Area Director
U.S.D.A. Forest Service
Federal Building
Missoula, MT 59807

Director
Bureau of Land Management
P.O. Box 38600
Billings, MT 59107

Division Engineer
U.S. Army Corps of Engineers
P.O. Box 103
Downtown Station
Omaha, NE 68101

Regional Director
Bureau of Reclamation
316 North 26th Street
Room 3035
Billings, MT 59101

Soil Conservation Service
10 West Babcock
Room 443, Federal Building
Bozeman, MT 59715

(6)
All Neighboring States of the Upper Missouri Division

Director
Department of Water Resources
450 West State Street
Boise, ID 83720

George L. Christopulos
State Engineer
State Office Building East
Cheyenne, WY 82002

(7)
All Indian Tribes in the Upper Missouri Division

Mr. Michael Fairbanks
Superintendent
Blackfeet Agency
Browning, MT 59417

Mr. Earl Old Person
Chairman
Blackfeet Tribal Bus. Council
Browning, MT 59417

(8)
County Officials

Mr. Darby O'Brien
Clerk of the Court
Liberty County Courthouse
Chester, MT 59522

Mrs. Alma Soper
Clerk and Recorder
Liberty County Courthouse
Chester, MT 59522

Ms. Vivian Hall
Clerk of the Court
Toole County Courthouse
Shelby, MT 59474

Mrs. Elizabeth Munson
Clerk and Recorder
Toole County Courthouse
Shelby, MT 59474

(9)

Other Interested Parties

Department of Natural Resources
Field Office
Box 1828 1708 West Second St.
Havre, MT 59501

Pat Barry
Indian Resource Section
U.S. Dept. of Justice
10th and Pennsylvania Ave. NW
Washington, D.C. 20530

U.S. Attorney General
Dept. of Justice Building
Washington, D.C. 20530

Field Solicitor
Room 5931
Federal Building
Billings, MT 59103

G. Steven Brown
Attorney for Mt. Dept. of
Fish, Wildlife & Parks
1313 11th Avenue
Helena, MT 59601

Ted Doney
Attorney At Law
314 N. Last Chance Gulch
Helena, MT 59601

Sherry Matteucci
Crowley Law Firm
P.O. Box 2529
Billings, MT 59103

Swanberg, Coby, Swanberg and
Matteucci
P.O. Box 2567
Great Falls, MT 59403

Vern House
Extension Economics
210 Linfield Hall
MSU
Bozeman, MT 59717

Robert G. Anderson
P.O. Box D
Shelby, MT 59474

John C. Chaffin
Dept. of Interior
SOL/DER/6045
18th and C Streets NW
Washington, D.C. 20240

Regional Director
U.S. Fish and Wildlife Serv.
P.O. Box 25486
Denver Federal Center
Denver, CO 80225

U.S. Attorney
Federal Building
Butte, MT 80225

Aaron Hostyk
U.S. Army Engineer Dist. Omaha
Corps of Engineers
6014 U.S. P.O. & Courthouse
Omaha, NE 68102

Tom Luebben
Attorney at Law
P.O. Box 25686
Albuquerque, NM 87125

HKM Associates
Ralph Saunders
P.O. Box 31318
Billings, MT 59107

Tom K. Hopgood
Loble & Pauly, P.C.
Box 176
Helena, MT 59624

Michael E. Zimmerman
40 East Broadway
Butte, MT 59701

Tim D. Hall
DNRC
32 South Ewing
Helena, MT 59620

Lyle Manley
Dept. State Lands
Capital Station
Helena, MT 59620

John Hill Jr.
U.S. Dept. of Justice
1961 Stout St., Drawer 3607
Denver, CO 80294

William L. Madden Jr.
Goetz, Madden & Dunn, P.C.
35 N. Grand
Bozeman, MT 59715

Joseph R. Hunt
P.O. Box D
Shelby, MT 59474

Leck Land & Grain Co.
P.O. Box 69
Galata, MT 59444

Karen J. Carpenter
11965 S.W. Belvidere Place
Portland, OR 97225

Raymond Johnson
N. 6927 Cochran
Spokane, WA 99208

BASIN *41 N*

**NOTICE OF OBJECTION
AND REQUEST FOR
PRELIMINARY HEARING**

October 31, 1984

IN THE WATER COURTS OF THE STATE OF MONTANA
UPPER MISSOURI DIVISION - WILLOW CREEK BASIN
* * * * *

NOTICE THAT OBJECTIONS HAVE BEEN FILED AND THOSE OBJECTORS
HAVE REQUESTED PRELIMINARY HEARINGS

This is notice that objections have been filed and hearings have been requested on several of the water rights issued in the Willow Creek Preliminary Decree. If your water right was objected to by another party, you will receive a special notice of that objection attached to this sheet.

WHAT HAPPENS NEXT?

A hearing will be held on those water rights that have been objected to. You are notified that an individual water right may be altered as a result of a hearing requested by another party.

WE SUGGEST YOU LOOK AT ALL OF THE OBJECTIONS FILED IN THE WILLOW CREEK BASIN. THEN YOU CAN DECIDE WHETHER YOU WANT TO APPEAR AND TAKE PART IN ANY HEARINGS. SEE BELOW WHERE YOU CAN SEE THE LIST OF OBJECTIONS FOR YOUR BASIN.

HOW TO APPEAR AND PARTICIPATE IN HEARINGS ON OBJECTIONS

To participate in any hearing on objections filed in this Basin, you MUST file a Notice of Intent to Appear. THAT NOTICE MUST BE ON THE FORMS PROVIDED BY THE WATER COURTS. These forms can be found at the offices listed on page 2.

All Notices to Appear must be filed and received by the 5th day of December, 1984.

Notices to Appear must be sent to the Water Courts, P.O. Box 879, Bozeman, MT 59715.

The failure to file a Notice may, at the discretion of the Water Judge or Water Master, result in the exclusion of the party at further proceedings or in the continuance of the hearing if the party failing to file appears at the hearing. THOSE PARTIES WHO FILED THE ORIGINAL OBJECTION DO NOT NEED TO FILE A NOTICE OF INTENT TO APPEAR AND PARTICIPATE.

WHERE TO SEE THE LIST OF OBJECTIONS

A listing of all the objections is available for review at:

1. Water Courts Office, P.O. Box 879, 601 Haggerty Lane, Bozeman, MT 59715
2. Department of Natural Resources and Conservation, Water Rights Bureau, 32 South Ewing, Helena, MT 59620
3. Department of Natural Resources and Conservation, Field Office, Box 1828, 1708 West Second Street, Havre, MT 59501
4. Clerk of District Court, Liberty Co., Chester, MT 59522
5. Clerk & Recorder Office, Liberty Co., Chester, MT 59522
6. Clerk of District Court, Toole Co., Shelby, MT 59474
7. Clerk & Recorder Office, Toole Co., Shelby, MT 59474

(Over Please)

A copy of the objection in its entirety can be obtained from the Water Courts, P.O. Box 879, Bozeman, MT 59715; phone is 586-4364.

If you have other questions, you may call the Water Courts.

WHAT HAPPENS AFTER?

The Court shall notify those parties who filed an objection or Notice to Appear in a particular preliminary hearing before the time any proceedings are set by the Water Courts.

THE WATER COURT RULES AND FORMS ARE AVAILABLE AT THE OFFICES LISTED BELOW:

1. Water Courts Office, P.O. Box 879, 601 Haggerty Lane, Bozeman, MT 59715
2. Clerk of District Court, Liberty Co., Chester, MT 59522
3. Clerk of District Court, Toole Co., Shelby, MT 59474

DATED this 31st day of October, 1984.



W.W. LESSLEY
Chief Water Judge
Montana State Water Courts
P.O. Box 879
Bozeman, MT 59715

OBJECTIONS TO THE WILLOW CREEK PRELIMINARY DECREE

41N

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Basis of Objection</u>
---	Eclipse Gulch	Steven E. Christian		Application for late claim
---	Dam	Grant A. Flage		Application for late claim
018374	UT Strawberry Creek	Montana Dept. of State Lands	Montana Dept. of State Lands	Place of use
031638	Gagner Coulee	Montana Dept. of Natural Resources and Conservation	Edward O. Gagner	Place of use, acres irrigated and volume or flow rate
031638	Gagner Coulee	Montana Dept. of State Lands	Edward O. Gagner	Acres irrigated and volume or flow rate
032024	Camaron Coulee	Montana Dept. of State Lands	Howard L. and Virginia G. Kinyon	Acres irrigated and volume or flow rate
035172	UT Eagle Creek	Montana Dept. of State Lands	Montana Dept. of State Lands	Source
037275	Spring	Lester M. Elde	Lester M. Elde	Place of use
037276	Well	Lester M. Elde	Lester M. Elde	Place of use
037277	Well	Lester M. Elde	Lester M. Elde	Place of use
037278	Well	Lester M. Elde	Lester M. Elde	Place of use and volume or flow rate
037279	Well	Lester M. Elde	Lester M. Elde	Place of use
037293	Sheep Creek	Montana Dept. of State Lands	Lester M. Elde	Ownership, place of use and point of diversion
037294	Well	Lester M. Elde	Lester M. Elde	Place of use
037296	Well	Lester M. Elde	Lester M. Elde	Place of use
037298	Spring	Lester M. Elde	Lester M. Elde	Place of use
037308	Sheep Creek	Montana Dept. of State Lands	Lester M. Elde	Ownership
040657	Powers Coulee	Montana Dept. of Natural Resources and Conservation	Helen S. Reitsch	Place of use and acres irrigated
040657	Powers Coulee	Montana Dept. of State Lands	Helen S. Reitsch	Acres irrigated and volume or flow rate

THESE OBJECTIONS TO THE WILLOW CREEK PRELIMINARY DECREE DO NOT CONTAIN ALL OF THE INFORMATION FILED BY AN OBJECTING PARTY. TO OBTAIN A COPY OF AN OBJECTION IN ITS ENTIRETY, CONTACT THE WATER COURTS AT P.O. BOX 879, BOZEMAN, MONTANA 59715, (406) 586-4364.

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Basis of Objection</u>
041940	Antelope Coulee	Montana Dept. of Natural Resources and Conservation	Dora E. Moller	Place of use, acres irrigated and volume or flow rate
041940	Antelope Coulee	Montana Dept. of State Lands	Dora E. Moller	Acres irrigated and volume or flow rate
041942	Eagle Creek	Montana Dept. of State Lands	Double L, Inc.	Acres irrigated and volume or flow rate
049700	Well	Raymond N. Fritzt	Leonard Fritzt	Ownership - computer error
049701	UT Eagle Creek	Raymond N. Fritzt	Leonard Fritzt	Ownership - computer error
049702	UT Eagle Creek	Raymond N. Fritzt	Leonard Fritzt	Ownership - computer error
049703	Well	Raymond N. Fritzt	Leonard Fritzt	Ownership - computer error
049704	UT Natural Sink	Raymond N. Fritzt	Leonard Fritzt	Ownership - computer error
049705	UT Natural Sink	Raymond N. Fritzt	Leonard Fritzt	Ownership - computer error
049706	UT Natural Sink	Raymond N. Fritzt	Leonard Fritzt	Ownership - computer error
049707	UT Natural Sink	Raymond N. Fritzt	Leonard Fritzt	Ownership - computer error
049708	Well	Raymond N. Fritzt	Leonard Fritzt	Ownership - computer error
049710	Eagle Creek	Raymond N. Fritzt	Leonard Fritzt	Ownership - computer error
049711	UT Natural Sink	Raymond N. Fritzt	Leonard Fritzt	Ownership - computer error
049712	Well	Raymond N. Fritzt	Leonard Fritzt	Ownership - computer error
049743	Trib. Strawberry Creek	Montana Dept. of Natural Resources and Conservation	Raymond N. Fritzt and Leonard Fritzt	Place of use and acres irrigated
049743	Trib. Strawberry Creek	Montana Dept. of State Lands	Raymond N. Fritzt and Leonard Fritzt	Acres irrigated and volume or flow rate
049744	Eagle Creek	Leonard Fritzt	Leonard Fritzt	Place of use
049751	Eagle Creek	Montana Dept. of State Lands	Leonard Fritzt	Acres irrigated and volume or flow rate
098836	Eagle Creek	Montana Dept. of State Lands	Roy and Richard Wickum	Ownership, place of use and point of diversion
102036	Trib. Glacial Pothole	Leonard and Raymond Fritzt	Leonard and Raymond Fritzt	Ownership

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Basis of Objection</u>
102036	Triib. Glacial Pothole	SH Cattle Company	Leonard and Raymond Fritze	Ownership and place of use
105810	Daugherty Creek	Montana Dept. of State Lands	Walter C. Clark	Ownership, place of use and point of diversion
105818	Kicking Horse Creek	Montana Dept. of Natural Resources and Conservation	Walter C. Clark	Place of use, acres irrigated and volume or flow rate
105818	Kicking Horse Creek	Montana Dept. of State Lands	Walter C. Clark	Acres irrigated and volume or flow rate
105837	UT Coyote Creek	Montana Dept. of State Lands	BJO Ranches	Ownership and source
105839	Eagle Creek	Montana Dept. of State Lands	BJO Ranches	Ownership
105841	UT Coyote Creek	Montana Dept. of State Lands	BJO Ranches	Ownership, place of use and point of diversion
105854	UT Eagle Creek	Montana Dept. of State Lands	BJO Ranches	Priority date
112457	Well	Montana Dept. of Natural Resources and Conservation	Montana Dept. of State Lands	Acres irrigated and volume or flow rate
114066	Eagle Creek	Montana Dept. of State Lands	Leora M. and Ted A. Gibson	Acres irrigated and volume or flow rate
114067	Dutro Collee	Montana Dept. of State Lands	Leora M. and Ted A. Gibson	Acres irrigated and volume or flow rate
114068	East Eagle Creek	Montana Dept. of Natural Resources and Conservation	Leora M. and Ted A. Gibson	Place of use and acres irrigated
114068	East Eagle Creek	Montana Dept. of State Lands	Leora M. and Ted A. Gibson	Acres irrigated and volume or flow rate
114069	UT Eagle Creek	Montana Dept. of State Lands	Leora M. and Ted A. Gibson	Acres irrigated and volume or flow rate
124349	Trail Creek	Montana Dept. of State Lands	Hales and Ambjorg Scalsee	Acres irrigated and volume or flow rate
129612	UT '1. Fork Willow Creek	Montana Dept. of State Lands	William J. McCarter	Acres irrigated and volume or flow rate
129613	Willow Creek	Montana Dept. of State Lands	William J. McCarter	Acres irrigated and volume or flow rate
129614	W. Fork Willow Creek	Montana Dept. of Natural Resources and Conservation	William J. McCarter	Place of use, acres irrigated and volume or flow rate

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Basis of Objection</u>
129614	W. Fork Willow Creek	Montana Dept. of State Lands	William J. McCarter	Acres irrigated and volume or flow rate
129615	Crooked Coulee	Montana Dept. of Natural Resources and Conservation	William J. McCarter	Place of use, acres irrigated and volume or flow rate
129615	Crooked Coulee	Montana Dept. of State Lands	William J. McCarter	Acres irrigated and volume or flow rate
129618	Willow Creek	Montana Dept. of State Lands	William J. McCarter	Acres irrigated and volume or flow rate
144520	Willow Creek	Montana Dept. of State Lands	Doris and Darwin Snuffer	Acres irrigated and volume or flow rate
144538	Spring Creek	Montana Dept. of State Lands	Pleasant View Farm	Acres irrigated and volume or flow rate
152521	UN Trib. Alkali Creek	Steven E. Christian	Clarence and Barbara Harig	Ownership, place of use and point of diversion
152656	Miners Coulee	Montana Dept. of Natural Resources and Conservation	Golden Fields Farm	Ownership, place of use and point of diversion
152656	Miners Coulee	Montana Dept. of State Lands	Golden Fields Farm	Ownership and place of use
153165	McLaughlin Creek	Montana Dept. of State Lands	Green Coulee Ranch	Place of use, acres irrigated and volume or flow rate
153166	McLaughlin Creek	Montana Dept. of Natural Resources and Conservation	Green Coulee Ranch	Acres irrigated and volume or flow rate
153166	McLaughlin Creek	Montana Dept. of State Lands	Green Coulee Ranch	Place of use, acres irrigated and volume or flow rate
153167	McLaughlin Creek	Montana Dept. of Natural Resources and Conservation	Green Coulee Ranch	Acres irrigated and volume or flow rate
153167	McLaughlin Creek	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153168	McLaughlin Creek	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153169	McLaughlin Creek	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153170	McLaughlin Creek	Montana Dept. of Natural Resources and Conservation	Green Coulee Ranch	Place of use, acres irrigated and volume or flow rate

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to In Decree</u>	<u>Basis of Objection</u>
153170	McLaughlin Creek	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153171	McLaughlin Creek	Montana Dept. of Natural Resources and Conservation	Green Coulee Ranch	Place of use, acres irrigated and volume or flow rate
153171	McLaughlin Creek	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153174	McLaughlin Creek	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153175	Greens Coulee	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153176	Greens Coulee	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153178	Greens Coulee	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153179	Greens Coulee	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153180	Greens Coulee	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153181	Greens Coulee	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153182	Greens Coulee	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153183	Limekilln Creek	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153184	Greens Coulee	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153186	Greens Coulee	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153187	McLaughlin Creek	Montana Dept. of Natural Resources and Conservation	Green Coulee Ranch	Place of use, acres irrigated and volume or flow rate
153187	McLaughlin Creek	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153202	Greens Coulee	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Basis of Objection</u>
153203	Greens Coulee	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153205	Limekilln Creek	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153206	Greens Coulee	Montana Dept. of Natural Resources and Conservation	Green Coulee Ranch	Place of use, acres irrigated and volume or flow rate
153206	Greens Coulee	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153207	Greens Coulee	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153217	UT Miners Coulee	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153218	UT Miners Coulee	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153221	UT Miners Coulee	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153222	UT Miners Coulee	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153224	Well	Montana Dept. of Natural Resources and Conservation	Green Coulee Ranch	Place of use, acres irrigated and volume or flow rate
153224	Well	Montana Dept. of State Lands	Green Coulee Ranch	Acres irrigated and volume or flow rate
153237	Trail Creek	Montana Dept. of Natural Resources and Conservation	Ronald J. and Virginia Wehr	Place of use, acres irrigated and volume or flow rate
153237	Trail Creek	Montana Dept. of State Lands	Ronald J. and Virginia Wehr	Acres irrigated and volume or flow rate
153239	Trail Creek	Montana Dept. of State Lands	Ronald J. and Virginia Wehr	Acres irrigated and volume or flow rate
153280	Spring, Trib. Eagle Creek	Montana Dept. of Natural Resources and Conservation	Charles Lass	Priority date
153377	UT Fivemile Creek	Montana Dept. of Natural Resources and Conservation	Louis L. and Juanita Sura	Acres irrigated
153377	UT Fivemile Creek	Montana Dept. of State Lands	Louis L. and Juanita Sura	Acres irrigated and volume or flow rate

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to In Decree</u>	<u>Basis of Objection</u>
153402	Miners Coulee	Montana Dept. of State Lands	Lorene and Steven Christian	Ownership
153403	Miners Coulee	Montana Dept. of State Lands	Lorene and Steven Christian	Ownership
153412	Miners Coulee	Montana Dept. of State Lands	Lorene and Steven Christian	Ownership, place of use and point of diversion
153415	Spring, Trib. Fourmile Coulee	Montana Dept. of State Lands	Lorene and Steven Christian	Ownership
153417	Hay Coulee	Steven E. Christian	Lorene and Steven Christian	Place of use and point of diversion
153417	Hay Coulee	Montana Dept. of State Lands	Lorene and Steven Christian	Ownership, place of use and point of diversion
153418	Spring, Trib. Miners Coulee	Montana Dept. of State Lands	Lorene and Steven Christian	Ownership
153424	Douglas Coulee	Montana Dept. of State Lands	Lorene and Steven Christian	Ownership
153432	Miners Coulee	Montana Dept. of State Lands	Lorene and Steven Christian	Place of use, acres irrigated and volume or flow rate
153504	UT Eclipse Creek	Montana Dept. of Natural Resources and Conservation	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153504	UT Eclipse Creek	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153532	Eclipse Creek	Montana Dept. of Natural Resources and Conservation	Lorene and Steven Christian	Place of use, acres irrigated and volume or flow rate
153532	Eclipse Creek	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153533	UT Dutch John Coulee	Montana Dept. of Natural Resources and Conservation	Lorene and Steven Christian	Place of use, acres irrigated and volume or flow rate
153533	UT Dutch John Coulee	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153535	Eclipse Gulch	Montana Dept. of Natural Resources and Conservation	Lorene and Steven Christian	Place of use, acres irrigated and volume or flow rate
153535	Eclipse Gulch	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153536	UT Eclipse Creek	Montana Dept. of Natural Resources and Conservation	Lorene and Steven Christian	Place of use, acres irrigated and volume or flow rate

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Basis of Objection</u>
153536	UT Eclipse Creek	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153537	Spring, Trib. Fourmile Creek	Montana Dept. of Natural Resources and Conservation	Lorene and Steven Christian	Place of use, acres irrigated and volume or flow rate
153537	Spring, Trib. Fourmile Creek	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153538	UT Fourmile Coulee	Montana Dept. of Natural Resources and Conservation	Lorene and Steven Christian	Place of use, acres irrigated and volume or flow rate
153538	UT Fourmile Coulee	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153539	UT Dutch John Coulee	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153540	Eclipse Gulch	Montana Dept. of Natural Resources and Conservation	Lorene and Steven Christian	Place of use, acres irrigated and volume or flow rate
153540	Eclipse Gulch	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153541	Eclipse Gulch	Montana Dept. of Natural Resources and Conservation	Lorene and Steven Christian	Place of use, acres irrigated and volume or flow rate
153541	Eclipse Gulch	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153542	Eclipse Gulch	Montana Dept. of Natural Resources and Conservation	Lorene and Steven Christian	Place of use, acres irrigated and volume or flow rate
153542	Eclipse Gulch	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153543	Eclipse Gulch	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153544	Eclipse Gulch	Montana Dept. of Natural Resources and Conservation	Lorene and Steven Christian	Place of use, acres irrigated and volume or flow rate
153544	Eclipse Gulch	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153545	UT Dutch John Coulee	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153546	Moltz Coulee	Montana Dept. of Natural Resources and Conservation	Lorene and Steven Christian	Place of use, acres irrigated and volume or flow rate

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Basis of Objection</u>
153546	Moltz Coulee	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or rate
153547	Rosedale Coulee	Montana Dept. of Natural Resources and Conservation	Lorene and Steven Christian	Place of use, acres irrigated and volume or flow rate
153547	Rosedale Coulee	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153548	UT Eclipse Gulch	Montana Dept. of Natural Resources and Conservation	Lorene and Steven Christian	Place of use, acres irrigated and volume or flow rate
153548	UT Eclipse Gulch	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153549	Earnest Coulee	Montana Dept. of Natural Resources and Conservation	Lorene and Steven Christian	Place of use, acres irrigated and volume or flow rate
153549	Earnest Coulee	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153550	UT Sheep Creek	Montana Dept. of Natural Resources and Conservation	Lorene and Steven Christian	Place of use, acres irrigated and volume or flow rate
153550	UT Sheep Creek	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153551	Spring, Trib. Spring Coulee	Montana Dept. of Natural Resources and Conservation	Lorene and Steven Christian	Place of use, acres irrigated and volume or flow rate
153551	Spring, Trib. Spring Coulee	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153552	UT Eclipse Creek	Montana Dept. of Natural Resources and Conservation	Lorene and Steven Christian	Place of use, acres irrigated and volume or flow rate
153552	UT Eclipse Creek	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153553	Spring, Trib. Dutch John Coulee	Montana Dept. of Natural Resources and Conservation	Lorene and Steven Christian	Place of use, acres irrigated and volume or flow rate
153553	Spring, Trib. Dutch John Coulee	Montana Dept. of State Lands	Lorene and Steven Christian	Acres irrigated and volume or flow rate
153590	Trail Creek	Montana Dept. of State Lands	Turan C. Morris	Acres irrigated and volume or flow rate

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Basis of Objection</u>
153594	Trail Creek	Montana Dept. of State Lands	Turan C. Morris	Acres irrigated and volume or flow rate
153595	Trail Creek	Montana Dept. of State Lands	Turan C. Morris	Ownership and place of use
153664	UN Trib. Strawberry Creek	5H Cattle Company	5H Cattle Company	Place of use
153688	UN Trib. Eagle Creek	5H Cattle Company	5H Cattle Company	Place of use
153695	UN Trib. Chicago Creek	5H Cattle Company	5H Cattle Company	Period of use
153729	Haws Creek	Montana Dept. of Natural Resources and Conservation	5H Cattle Company	Place of use, acres irrigated and volume or flow rate
153729	Haws Creek	Montana Dept. of State Lands	5H Cattle Company	Acres irrigated and volume or flow rate
153730	Haws Creek	Montana Dept. of Natural Resources and Conservation	5H Cattle Company	Place of use, acres irrigated and volume or flow rate
153730	Haws Creek	Montana Dept. of State Lands	5H Cattle Company	Acres irrigated and volume or flow rate
154787	Moltz Coulee	Montana Dept. of Natural Resources and Conservation	Cherie F. Anderson and Vicki F. Schulz	Place of use, acres irrigated and volume or flow rate
154787	Moltz Coulee	Montana Dept. of State Lands	Cherie F. Anderson and Vicki F. Schulz	Acres irrigated and volume or flow rate
154788	Moltz Coulee	Montana Dept. of Natural Resources and Conservation	Cherie F. Anderson and Vicki F. Schulz	Place of use, acres irrigated and volume or flow rate
154788	Moltz Coulee	Montana Dept. of State Lands	Cherie F. Anderson and Vicki F. Schulz	Acres irrigated and volume or flow rate
154789	N. Fork, Eclipse Creek	Montana Dept. of Natural Resources and Conservation	Cherie F. Anderson and Vicki F. Schulz	Place of use, acres irrigated and volume or flow rate
154789	N. Fork, Eclipse Creek	Montana Dept. of State Lands	Cherie F. Anderson and Vicki F. Schulz	Acres irrigated and volume or flow rate
154791	UT of UT of a Natural Sink	Montana Dept. of Natural Resources and Conservation	Cherie F. Anderson and Vicki F. Schulz	Place of use, acres irrigated and volume or flow rate
154791	UT of UT of a Natural Sink	Montana Dept. of State Lands	Cherie F. Anderson and Vicki F. Schulz	Acres irrigated and volume or flow rate
154812	Cherry Creek	Montana Dept. of State Lands	Cherie F. Anderson and Vicki F. Schulz	Ownership and place of use

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Basis of Objection</u>
154822	Cherry Creek	Montana Dept. of State Lands	Cherie F. Anderson and Vicki F. Schulz	Ownership and place of use
155946	Willow Creek	Montana Dept. of State Lands	Grant Flage	Ownership, place of use and point of diversion
155947	Willow Creek	Montana Dept. of State Lands	Grant Flage	Ownership, place of use and point of diversion
155949	Edminster Coulee	Montana Dept. of Natural Resources and Conservation	Grant Flage	Place of use, acres irrigated and volume or flow rate
155949	Edminster Coulee	Montana Dept. of State Lands	Grant Flage	Acres irrigated and volume or flow rate
155953	Dam	Grant A. Flage	Grant Flage and Smith Frances	Point of diversion
155979	Kinyon Coulee	Annette Henry, Personal Representative of the Estate of Harold E. Henry	Harol E. Henry	Place of use
155990	Sleeper Coulee	Annetie Henry, Personal Representative of the Estate of Harold E. Henry	Harold E. Henry	Place of use and point of diversion
156110	UT of (Natural Slink) "Pit"	Montana Dept. of State Lands	Danny Green	Ownership, place of use and point of diversion
156385	Simmons Creek	Montana Dept. of State Lands	Darold Tomshack	Ownership, place of use and point of diversion
156389	Greens Coulee	Montana Dept. of State Lands	Darold Tomshack	Ownership, place of use and point of diversion
156391	Greens Coulee	Montana Dept. of State Lands	Darold Tomshack	Ownership, place of use and point of diversion
156392	Willow Creek	Montana Dept. of State Lands	Darold Tomshack	Ownership, place of use and point of diversion
156393	Spring Creek	Montana Dept. of State Lands	Darold Tomshack	Ownership and place of use
156394	Simmons Creek	Montana Dept. of State Lands	Darold Tomshack	Ownership
156399	Willow Creek	Montana Dept. of State Lands	Darold Tomshack	Ownership and place of use
156401	Simmons Creek	Montana Dept. of State Lands	Darold Tomshack	Ownership
156402	Simmons Creek	Montana Dept. of State Lands	Darold Tomshack	Ownership and place of use
156404	Simmons Creek	Montana Dept. of State Lands	Darold Tomshack	Ownership and place of use

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Basis of Objection</u>
156650	UT Fourmile Coulee, East Fork	Montana Dept. of Natural Resources and Conservation	Robert W. Parsell	Place of use, acres irrigated and volume or flow rate
156650	UT Fourmile Coulee, East Fork	Montana Dept. of State Lands	Robert W. Parsell	Acres irrigated and volume or flow rate
156651	Fourmile Coulee	Montana Dept. of Natural Resources and Conservation	Robert W. Parsell	Place of use, acres irrigated and volume or flow rate
156651	Fourmile Coulee	Montana Dept. of State Lands	Robert W. Parsell	Acres irrigated and volume or flow rate
156652	Fourmile Coulee	Montana Dept. of Natural Resources and Conservation	Robert W. Parsell	Place of use, acres irrigated and volume or flow rate
156652	Fourmile Coulee	Montana Dept. of State Lands	Robert W. Parsell	Acres irrigated and volume or flow rate
156653	Fourmile Coulee	Montana Dept. of State Lands	Robert W. Parsell	Acres irrigated and volume or flow rate
156654	Fourmile Coulee	Montana Dept. of Natural Resources and Conservation	Robert W. Parsell	Place of use, acres irrigated and volume or flow rate
156654	Fourmile Coulee	Montana Dept. of State Lands	Robert W. Parsell	Acres irrigated and volume or flow rate
156655	Fourmile Coulee	Montana Dept. of Natural Resources and Conservation	Robert W. Parsell	Purpose of right
157066	Spring, Trib. Antelope Coulee	Montana Dept. of Natural Resources and Conservation	Adrian L. Hawks	Place of use, acres irrigated and volume or flow rate
157066	Spring, Trib. Antelope Coulee	Montana Dept. of State Lands	Adrian L. Hawks	Acres irrigated and volume or flow rate
158258	Miners Coulee	Montana Dept. of State Lands	James K. Wood	Ownership, place of use and point of diversion
158265	Miners Coulee	Montana Dept. of State Lands	James K. and Norma J. Wood	Acres irrigated and volume or flow rate
159151	Kicking Horse Creek	Montana Dept. of State Lands	Jeanette J. and George J. Rankin	Acres irrigated and volume or flow rate
180929	Strawberry Creek	Montana Dept. of State Lands	Hofer Brothers	Acres irrigated and volume or flow rate
180931	Snow Coulee	Montana Dept. of Natural Resources and Conservation	Hofer Brothers	Place of use, acres irrigated and volume or flow rate

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Basis of Objection</u>
180931	Snow Coulee	Montana Dept. of State Lands	Hofer Brothers	Acres irrigated and volume or flow rate
180932	Strawberry Creek	Montana Dept. of State Lands	Hofer Brothers	Acres irrigated and volume or flow rate
180943	Strawberry Creek	Montana Dept. of State Lands	Hofer Brothers	Acres irrigated and volume or flow rate
183215	Trail Creek	U.S. Dept. of Interior, Fish and Wildlife Service	U.S. Dept. of Interior, Fish and Wildlife Service	Volume or flow rate

06/23/84 18/56
PARSELL ROBERT
PEERS ALLEN
PETERSCHICK ELSTIE
PETERSON FRANCES
PETERSON INGWARD
PLEASANT VIEW FARM
RANKIN GEORGE
RANKIN JEANETTE
REITSCH HELEN
REITSCH HELEN
RUDARK LOUIS
RUDARK JABEZ
RUNNING WILLARD
RUSSELL ELIZABETH
RUSSELL ELIZABETH
RUSSELL RALPH
RUSSELL AMR JDRG
SCALESE EMILY
SCALESE MALES
SCALESE THOMAS
SCHECK HELEN
SCHRECK VICKI
SCHULZ MICHAEL
SCHWANDNER RAYMOND
SEWARD RAYMOND
SEWARD WILLIS
SEWARD AMPARISTA
STIMMONS
STICK RANCH INC
SKARRI O M & SONS INC
SMITH FRANCES
SMITH GINA
SMITH LARENCE
SMITH LUCILE
SNOFFER DARWIN
SNOFFER DURIS
STAUDACHER ESTHER
STEWART LYNN
STOLTIZ LYNN
STOLTIZ PETER
STOLITZ ELDRED
STRAITON
SUN AG INC
SUITA JUANITA
SUITA KALMAN
SUITA LOUIS
SUITA MABEL
SVEUM ALBERT
SVEUM BROTHERS
THUSS FRANK
TOMAYER KENETH
TOMASHEK DAROLD
TOTHUSMEK ALLICE
TRIPLE G FARMS INC
TURNER DAVID
TURNER MARIAN
TURNER MARIAN
TURNER MARIAN
TURNER MARIAN

NAME VARIATION CHECK ON NEW APP & SB76 OWNERS - BASIN 4IN
BOX 82
BOX 127
RR BOX 26
PU BOX 40
PU BOX 40
PO BOX 436
BOX 24
BOX 24
12300 URBIND DR
X CARL F FORSTER
BOX 366
PO BOX 831
RR BOX 26
NW OF SHELBY
NW SHELBY
NW SHELBY
NW SHELBY
BOX 22
BOX 22
BOX 297
404 ASHLEY COURT
SCHILTERN NR 14
STAR RT
STAR RT
7R
STAR RT
710 1ST ST S
PO BOX 16
BOX 296
PU BOX 63
930 TURNER AVE
1113 1ST S
1113 1ST S
BOX 15
BOX 15
BOX 212
BOX 396
PU BOX 377
606 ULLFIELD AVE
PO BOX 32
BOX 318
BOX 318
BOX 318
RR
STAR HT
24 HERITAGE CIRCLE APT 8
RURAL ROUTE BOX 32
PU BOX 228
18301 CUVINGTUN RD
BOX 398
RR BOX 220

WHITLASH
SHELBY
GALATA
SHELBY
SHELBY
SUNBURST
FENDIG
VENICE
MILLWAUKEE
ULLMONT
SHELBY
GALATA
SHELBY
SHELBY
SHELBY
SHELBY
SHELBY
SHELBY
GALATA
GALATA
LAKESIDE
KALISPELL
WEST GERMANY 6475
SHELBY
SHELBY
SHELBY
SHELBY
GALATA
CHESTER
GALATA
SHELBY
SHELBY
SHELBY
SHELBY
GALATA
GALATA
CHESTER
DILLMONT
SUNBURST
SUNBURST
SUNBURST
SHELBY
GALATA
SUNBURST
FENDIG
SUNBURST
FENDIG
SWEETGRASS
SWEETA
GALATA
MADISON
GALATA
SUNBURST
MIMNETONKA
CHESTER
FENDIG
FENDIG
FENDIG
FENDIG
FENDIG

BASIN *41N*

Amended
**CERTIFICATE
OF MAILING
NOTICE OF OBJECTION
AND REQUEST FOR
PRELIMINARY HEARING**

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION
WATER RESOURCES DIVISION



THE SCHWENKER CENTER

STATE OF MONTANA

(406) 444-6600 ADMINISTRATION
(406) 444-6640 ENGINEERING
(406) 444-6644 WATER RIGHTS BUREAU
(406) 444-6644 WATER MANAGEMENT
(406) 444-6644 WATER RIGHTS BUREAU

HELENA, MONTANA 59715

July 15, 1985

Ms. Chris Jenson
Water Courts
Box 879
Bozeman, MT 59715

Dear Chris:

Enclosed is the amended certificate of mailing for the Notice of Objection and Request for Preliminary Hearing for the Preliminary Decree for Willow Creek Basin (Basin 41N). This mailing was conducted 10-31-84 to 7-15-85.

Sincerely,

Jim

Jim Kindle
Records Section Supervisor
Water Rights Bureau

Enclosure
JK/jg

WILLOW CREEK BASIN (Basin 41N)

AMENDED CERTIFICATE OF MAILING

Notice of Objection and Request for Preliminary Hearing for the
Preliminary Decree for the Willow Creek Basin (Basin 41N)

State of Montana)
) ss:
County of Lewis and Clark)

I, JAMES E. KINDLE, Records Supervisor for the Water Resources
Division of the Department of Natural Resources and Conservation of the State
of Montana, hereby certify that all return mail for the Notice of Objection and
Request for Preliminary Hearing for the Preliminary Decree for the Willow Creek
Basin (Basin 41N) has been researched by the water rights field offices and
that based on their research the following has been sent, postage prepaid,
first class, United States Mail:

A. For persons filing claims;

1. owner address changes only. Based on research, all parties in
the Willow Creek Basin have been sent the Notice of Objection and Request for
Preliminary Hearing for the Preliminary Decree.

2. transferred owners. Based on research, all apparent successors
in interest in the Willow Creek Basin for water rights concerning return mail
have been sent the Notice of Objection and Request for Preliminary Hearing for
the Preliminary Decree and Water Right Transfer Certificate forms.

B. For post July 1, 1973 water rights;

1. all parties in the Willow Creek issued permits for water use
in that Basin pursuant to 85-2-301, MCA, 1978, or their successor in interest;

2. all parties who have applied for permits for the use of water
in the Willow Creek Basin pursuant to 85-2-301, MCA, 1978;

3. all parties who have been granted a reservation in the Willow Creek Basin pursuant to 85-2-316, MCA, 1978;

4. all parties in the Willow Creek Basin who have received certificates of water rights pursuant to 85-2-306, MCA, 1978, for wells under 100 gallons per minute; the following has been sent:

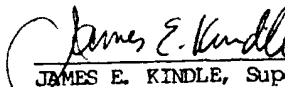
a. owner address changes only. Based on research, all parties have been sent the Notice of Objection and Request for Preliminary Hearing for the Preliminary Decree;

b. transferred owners. Based on research, all apparent successor in interest for water rights concerning return mail have been sent the Notice of Objection and Request for Preliminary Hearing for the Preliminary Decree and Water Right Transfer Certificate forms.

This mailing and distribution was made under my direction and control from 10-31-84 and 7-15-85.

Original documents concerning return mail, envelopes, research, correspondence, field office confirmation and field office certification of mailing can be found in original files and microfilm files.

Dated this 15th day of JULY 1985.



JAMES E. KINDLE, Supervisor
Records Section, Water Rights Bureau
Water Resources Division
Dept. of Natural Resources and
Conservation
State of Montana

attachment

Log of noticed water right owners in the basin

State of Montana)
 : ss.
(County of Lewis & Clark)

On this 15th day of July 1985, before me, a Notary Public in and for said state, personally appeared James E. Kindle, known to be a Supervisor for the Water Resources Division of the Department of Natural Resources and Conservation, and acknowledges to me that he, in his official capacity, executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.

Jim P. Gilman
Notary Public for the State of Montana
Residing at Helenia
My commission expires 1-21-1987

ATTACHMENT TO THE AMENDED CERTIFICATE OF MAILING FOR THE NOTICE OF
OBJECTION AND REQUEST FOR PRELIMINARY HEARING

BASIN

41 N

FOR THE NAME VARIATION LIST, SEE THE CERTIFICATE OF MAILING FOR THE
NOTICE OF OBJECTION AND REQUEST FOR PRELIMINARY HEARING.

DIFFERENCES BETWEEN THE FOLLOWING RETURN MAIL LIST AND THE ONE WITH THE
AMENDED CERTIFICATE OF MAILING FOR THE TEMP. AND/OR PRE. DECREE INDICATE
THE RETURN MAIL FOR THE OBJECTION NOTICE.

08/23/84 18/56

NAME VARIATION CHECK ON NEW APP & S876 OWNERS - BASIN 41N

PAGE

DEMAREST CLAUDE S
 DEMAREST DOUGLAS W
 DEMAREST ELSIE E
 DIEMERT CLARK E
 DIEMERT DENNIS M
 DIEMERT NELLIE M
 DOUBLE L INC
 DYRDAHL JENNIE R
 DYRDAHL JOHN R
 EAGLE CREEK COLONY
 EIDE LESTER M
 ENGELN HELEN A
 FINGER, GERALD FARMS INC
 FIVE H CATTLE CO
 FLAGE ALVINA
 FLAGE GRANT
 FLESCHE LEU
 FLESCHE LESTER
 FLESCHE FARMS INC
 FRAHM GERALDINE C
 FRANSEN GUST V
 FRANSSEN BROTHERS
 FREDERICKSON FARMS INC
 FRITZ ERNOLD L
 FRITZ JOHN R
 FRITZ LEONARD
 FRITZ LILLIAN D
 FRITZ MARY E
 FRITZ RAYMOND
 FRITZ RAYMOND N
 GAGNER EDWARD U
 GALATA COUNTY WATER DISTRICT
 GALATA WATER USERS ASSOC
 GIBSON LEORA M
 GIBSON MAY C
 GIBSON TED A
 GIDEON DALE
 GLEE LYLE
 GLEE RUBY
 GOLDEN FIELDS FARM
 GREEN DANNY D
 GREEN COULEE RANCH
 GREENE BLANCHE M
 GRIFFIN DONNA M
 GRIFFIN ROBERT J
 GUMMER THOMAS M
 HABETS EMILE H
 HABETS GLEN
 HAGEN ALVIN M
 HAGEN ALVIN M
 HAGEN EMMA M
 HAGEN EMMA M
 HALVERSON HENRY J
 HANSON CAROLE R
 HANSON CAROLE R
 HANSON JOHN
 HARDAKER EDNAH
 HARRIG BARBARA

BOX 7
 BOX 7
 BOX 7
 BOX Q
 BOX 62 DEVON STAR RT
 BOX 62 DEVON STAR RT
 RR
 BOX 297
 RR BOX 7
 PO BOX 0
 PO BOX 31
 PO BOX 31
 725 1ST ST S
 BOX 64E
 BOX 64S
 W 3231 BOONE SPACE 125
 STAR RT
 STAR RT
 BOX 611
 BOX N
 BOX 280
 BOX N
 BOX 280
 BOX 280
 BOX 280
 BOX 280
 BOX 280
 435 BENTON ST
 PU BOX 6
 512 8TH AVE S
 PU BOX 6
 2009 F ST
 PO BOX 113
 PO BOX 113
 PU BOX 27
 BOX 203
 BOX 233
 20 BRIAN LN RT 2
 BOX 524
 PU BOX 36
 BOX 135
 BOX 873
 PO BOX 873
 BOX 873
 PO BOX 873
 PU BOX 56
 2965 UNION ST
 7019 130 AVE NE

E 2121 Union St. 41N

walk-in ch. of name (C)

WHITLASH
 WHITLASH
 WHITLASH
 LUTHAIR
 GALATA
 LUTHAIR
 CHESTER
 SHELBY
 SHELBY
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 LAKESIDE
 GALATA
 SHELBY
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 SHELBY
 SHELBY
 SPOKANE
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 GALATA
 GALATA
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 SHELBY
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 CHESTER
 BELLINGHAM
 GALATA
 GALATA
 GALATA
 KEVIN
 SUNBURST
 DANSON
 CHESTER
 CHESTER
 CHESTER
 VALIER
 KEVIN
 SHELBY
 SHELBY
 SHELBY
 SHELBY
 SHELBY
 GALATA
 GALATA
 GALATA
 GALATA
 EAST TRUY
 KIRKLAND

06/23/84 18/56

NAME VARIATION CHECK ON NEW APP & SB76 OWNERS - BASIN 41N

PAGE

HARIG	CLARENCE	M	7019 130 AVE NE	KIRKLAND
HARWOOD	JOHN	A	PO BOX 64 DEVON STAR RT	SHELBY
HARWOOD	LINDA	S	PO BOX 66	GALATA
HARWOOD	RICHARD	A	PO BOX 64	SHELBY
HARWOOD	RICHARD	A	PO BOX 64 DEVON STAR RT	SHELBY
HARWOOD	RICHARD	T	PO BOX 66	GALATA
HARWOOD	ROBERT	J	6202 SE 22ND	MERCER ISLAND
HASQUET	JULIUS	T	104 E GRANITE AVE	SHELBY
HASQUET	LOUIS		325 12TH AVE N	SHELBY
HASQUET	ROBERT		1124 1ST ST N	SHELBY
HASQUET	VEIA	M	325 12TH AVE N	SHELBY
HAWKINS	FRED	H	BOX 746	SHELBY
HAWKINS	JOE	W	BOX 746	SHELBY
HAWKS	ADRIAN	L	RR	GALATA
HAWKS	ADRIAN	L	STAR RT BOX 10	GALATA
HAWKS	CLAUDE	L	N STAR RT BOX 20	CHESTER
HAWKS	CLAUDE	L	RR	GALATA
HAWKS	DALE			CHESTER
HAWKS	HENRY			CHESTER
HAWKS	LEO		RR	SHELBY
HEATH	ALMA	L	311 8TH AVE S	SHELBY
HELLINGER	DEAN	H	DEVON STAR RT	SHELBY
HELLINGER	DONALD	R	DEVON STAR RT	SHELBY
HELLINGER BROTHERS			DEVON STAR RT	SHELBY
HENRY	HAROLD	E	PO BOX 19	GALATA
HUFER BRUS				CHESTER
HUFER BROTHERS				CHESTER
HUFER BROTHERS PARTNERSHIP				CHESTER
HOUDEK	ARNOLD	R	VOEGELES MOBILE PARK 15	BELGRADE
HOUDEK	CHARLES	R	DRAWER H	SHELBY
HOUDEK	KATHERINE	R	DRAWER H	SHELBY
HOTH	LOUISE	M	3623 W 214TH ST	MATTESON
ISH INC			BOX L	CHESTER
J & A ENTERPRISES INC			PO BOX 650	SHELBY
JENSEN	RONALD	J		FERDIG
JOHANNSEN	DONALD	A	835 HILL ST	SHELBY
JOHANNSEN	FRANCIS		STAR RT	SHELBY
JOHNSON	MARIUS	C	234 GRANITE AVE	SHELBY
JOHNSON	MYRTLE	L	234 GRANITE AVE	SHELBY
JOHNSON	RAYMOND	A	N 6927 CUCHRAK	SHELBY
JOYCE	IRENE		355 1ST AVE	SPOKANE
KALBFLEISCH	JAMES	B	PO BOX 806	CHULA VISTA
KALBFLEISCH	NORMAN	R	PO BOX 579	SHELBY
KALBFLEISCH	RAE	V	PO BOX 806	SHELBY
KANNING	LLOYD	C	BOX 888	SHELBY
KANNING FARMS INC			BOX 746	SHELBY
KELLEHER BRUS			BOX 207	SHELBY
KIEFER	GARY	L	950 HILL ST	SHELBY
KINYON	HOWARD	L	DEVON STAR RT BOX 58	SHELBY
KINYON	VIRGINIA	G	DEVON STAR RT BOX 58	SHELBY
KINYON COULEE FARM			BOX 43	GALATA
KINYON, DALE & BARRY FARMS			PO BOX 115	GALATA
KIRK	ROBERT	E	W 3251 BOONE SPACE 125	SPOKANE
KLEINERT	ELIZABETH	G	310 5TH ST N	SHELBY
KLEINERT	WILLIAM	J	310 5TH ST N	SHELBY
KLINE	KOLAND	W	RT 1 BOX 2 USE	BUARDMAN
KUHLES & KUHLES	LEO	S	BOX 5	SUNBURST
KULSTAD				GALATA

DEVON STAR RT } 57 Ernest Blvd
Sunnyside, WA 98148

SR

3000 1st Ave SE
CASA Cell

F 2100 W 10th St
Spokane, WA 99201

08/23/84 18/58

NAME VARIATION CHECK ON NEW APP G SB76 OWNERS - BASIN 41N

KULSTAD	MARTHA	H	
KUVATCH	ANDREW	J	506 S MARYLAND
KUVATCH	MARIAN	E	506 S MARYLAND
KHALL	HARRIET	M	P O BOX 225
KHALL	JOSEPH	W	P O BOX 225
LAAS	AUGUST		
LAAS	CHARLES	E	BOX 64
LECK	DAVID	C	PO BOX 95
LECK	STEVEN	C	PO BOX 56
LERUM	MUNTE	B	BOX 205
LOHR	AUDIL	J	PU BOX 24
MARKUSON	WJANE	J	PU BOX 24
MARKUSON	HAROLD		PU BOX 24
MARKUSON	THEODORA		STAR ROUTE
MARSHALL	CHARLOTTE	L	STAR RT
MARSHALL	CHARLOTTE		STAR RT
MARSHALL	ROBERT	J	STAR ROUTE
MARSHALL	ROBERT		STAR RT
MARSHALL FARMS INC	INC		
MATTESON	DOLORIS	A	
MATTESON	LEONARD	M	SHELBY STAR RT
MCCARTER	JOHN	J	
MCCARTER	WILLIAM	J	BOX 353
MCDERMOTT	CHARLOTTE	E	BOX 353
MCDERMOTT	HENRY	A	
MCDERMOTT	RUTH		4401 RIVER DR N
MCGILLIS	DONALD	H	X HAMILTON RANCH
MCGILLIS	PATRICIA		DUNKIRK RT
MCKECHNIE	JAMES		DUNKIRK RT
MCKECHNIE	RUTH		DEVON STAR RT
MCLEAN	ESTHER	A	DEVON STAR RT
MCLEAN	LLOYD	I	546 8TH AVE S
MERHAN	CORRINE		BOX 121
MERMAID HAVEN INC	INC		X J A SWANSON AGENCY BOX 580
MOLLER	DORA	E	DEPARTMENT OF STATE LANDS
MONTANA, STATE OF BOARD OF LAND COMMISSIONER			CAPITOL STATION
MONTANA, STATE OF DEPT OF STATE LANDS			CAPITOL STATION
MUNNIS	TURAN	C	
MUSHER	FERR	V	BOX 285
MUSHER	RICHARD	M	BOX 285
MUNSON	RONALD	B	760 N MARIAS
MUZATKO	INA	C	N 6927 COCHRAN
NEPSTAD FARMS			
NESSBO	JOHN	G	PO BOX 411
NORTHWESTERN UNION TRUST CO			BOX 5011
NUTTER	JOHN	K	BOX 486
NUTTER	PEGGY	F	BOX 486
O'BRIEN	WALTER	R	105 AGATE DR
GILMONT WATER PROJECT			
ULSON	DOROTHY	R	5045 AVON DR
ULSON	DOROTHY	R	5045 AVON DR
URAW	LILLY		BOX 178
OSTREM	LEDNARD		
PACE	OTTO		BOX 326
PACE	OTTO		SR BOX 16
PACE	OTTO		SR 1 BOX 16
PACE	OTTO		STAR RT BOX 16
PACE	OTTO	P	BOX 326

GALATA
 CONRAD
 CONRAD
 SUNBURST
 SUNBURST
 CHESTER
 CHESTER
 GALATA
 GALATA
 GALATA
 CARTER
 GALATA
 GALATA
 SHELBY
 SHELBY
 SHELBY
 SHELBY
 GALATA
 GALATA
 SHELBY
 SHELBY
 GALATA
 SHELBY
 GALATA
 UILMONT
 UILMONT
 FERDIG
 GREAT FALLS
 SIMMS
 SHELBY
 SHELBY
 SHELBY
 SHELBY
 SHELBY
 SHELBY
 LUTHAIR
 CHUTEAU
 HELENA
 HELENA
 WHITLASH
 AUGUSTA
 AUGUSTA
 SHELBY
 SPOKANE
 SUNBURST
 SHELBY
 GREAT FALLS
 SUNBURST
 SUNBURST
 SUNBURST
 LEWISTOWN
 UILMONT
 MUOND
 MUOND
 CHESTER
 GALATA
 SUNBURST
 SUNBURST
 SUNBURST
 SUNBURST
 SUNBURST

01/23/84 18/56

NAME VARIATION CHECK ON NEW APP & S676 OWNERS - BASIN 41N

PARSELL ROBERT W
 PEERS ALLEN L
 PETERSCHICK ELSIE J
 PETERSON FRANCES A
 PETERSON INGWALD J
 PLEASANT VIEW FARM
 RANKIN GEORGE J
 RANKIN JEANETTE J
 REITSCH HELEN S
 REITSCH HELEN S
 ROARK LOUIS W
 ROGERS JABEZ W
 RUNNING WILLARD
 RUSSELL ELIZABETH
 RUSSELL ELIZABETH K
 RUSSELL RALPH K
 RUSSELL RALPH
 SCALESE AMBROGIO U
 SCALESE EMILY
 SCALESE MALES J
 SCALESE THOMAS J
 SCHRECK HELEN F
 SCHULZ VICKI F
 SCHWANDNER MICHAEL
 SEWARD RAYMOND M
 SEWARD RAYMOND F
 SEWARD WILLIS
 SIMMONS AMPARITA
 SISK RANCH INC
 SKANI, U M & SONS INC
 SMITH FRANCES B
 SMITH GINA H
 SMITH LAWRENCE G
 SMITH LUCILE Z
 SNUFFER DARWIN
 SNUFFER DORIS V
 STAUDACHER ESTHER V
 STEWART LYNN
 STOLTZ CLARENCE E
 STOLTZ PETER G
 STOLTZ & STOLTZ
 STRATTON ELDRED
 SUN AG INC
 SUTA JUANITA A
 SUTA KALMAN A
 SUTA LOUIS L
 SUTA MABEL
 SVEUM ALBERT
 SVEUM BROTHERS
 THUSS
 TOMAYER FRANK E
 TOMSHECK KENNETH E
 TOMSHECK DAROLD
 TUTUSHEK ALICE M
 TRIPLE G FARMS INC
 TURNER DAVID F
 TURNER MARIAN F
 TURNER MARIAN
 TURNER MARION

BOX 82
 BOX 127
 RR BOX 26
 PU BOX 40
 PU BOX 40
 PU BOX 438
 BOX 24
 BOX 24
 12300 URBIND DR
 X CARL F FURSTER
 BOX 306
 PU BOX 831
 RR BOX 26
 NW OF SHELBY
 NW SHELBY
 NW OF SHELBY
 NW SHELBY
 BOX 22
 BOX 22
 BOX 297
 404 ASHLEY COURT
 SCHILTERN NR 14
 STAR RT
 STAR RT
 STAR RT
 710 1ST ST S
 PO BOX 16
 BOX 296
 PU BOX 63
 930 TURNER AVE
 1113 1ST S
 1113 1ST S
 BOX 15
 BOX 15
 BOX 212
 BOX 396
 PU BOX 377
 606 GILFIELD AVE
 PO BOX 32
 BOX 318
 BOX 318
 RR
 STAR RT
 24 HERITAGE CIRCLE APT 8
 RURAL ROUTE BOX 32
 PU BOX 228
 18301 COVINGTON RD
 BOX 398
 RR BOX 20

DEVON STAR RT
DEVON STAR RT

WARM MINERAL SPRINGS
BOX 11657 2824 N STOWELL AVE

P WERNBERG OPF

WHITLASH
 SHELBY
 GALATA
 SHELBY
 SHELBY
 SUNBURST
 FERDIG
 FERDIG
 VENICE
 MILWAUKEE
 UILMONT
 SHELBY
 GALATA
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 LAKESIDE
 KALISPELL
 WEST GERMANY
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 SUNBURST
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 SUNBURST
 FERDIG
 SUNBURST
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 SWEETGRASS
 GALATA
 MADISON
 GALATA
 SUNBURST
 MINNE TONKA
 CHESTER
 FERDIG
 FERDIG
 FERDIG
 FERDIG

06/23/84 18/56

NAME VARIATION CHECK ON NEW APP & SB76 OWNERS - BASIN 41N

PAGE

TURNER R M
 TURNER R M
 TURNER REYNOLDS M
 US DEPT OF INTERIOR FISH & WILDLIFE SERVICE
 VAKOFF TONY G
 VAN KOLSTAD CHRISTOPHER
 VIOLETT FARMS INC
 WALLEWEIN GRAIN & CATTLE INC
 WARD TERESA S
 WEHR RONALD J
 WEHR VIRGINIA M
 WELKER HOWARD E
 WELKER JAMES F
 WELKER MILES E
 WELLS JOHN H
 WELLS MARY JEAN
 WEST NIM AGRIC INC
 WESTERMARK CARL G
 WESTERMARK KARL M
 WESTERMARK WALLACE H
 WESTERMARK WILMA
 WESTERMARK & SONS
 WHITE JOHN S
 WHITE BROS
 WHITNEY OLIVIA
 WICKUM RICHARD
 WICKUM RUDY
 WIGEN ARTHUR W
 WIGEN BROTHERS
 WILLIAMS LEON G
 WILLIAMS LEON G
 WILLIAMS WILLIAM
 WILLOW RIDGE RANCH
 WOLDTVEDT ANNA MAE
 WOLDTVEDT DAVID E
 WOLDTVEDT ELTON S
 WOLDTVEDT MELTON T
 WULFE EVELYN M
 WULFE GARY A
 WULFE HARRY L
 WOOD JAMES K
 WOOD NORMA J
 ZELENKA RAYMUND E

BOX 26
 RR BOX 26
 BOX 25486
 BOX 475
 BOX 285
 BOX 97
 BOX 97
 BOX 808
 BOX 808
 211 W CASCADE AVE
 300 5TH ST N
 300 5TH ST N
 BOX 255
 975 TURNER AVE
 975 TURNER AVE
 975 TURNER AVE
 975 TURNER AVE
 975 TURNER AVE
 BOX 23 DEVON STAR RT
 DEVON SR
 9229 MIDORETH
 DEVON STAR RT
 DEVON STAR RT
 2801 MIDWOOD AVE
 2801 MIDWOOD AVE
 PO BOX 882
 RR BOX 32
 169 MAIN
 PO BOX 343
 PO BOX 343
 169 MAIN
 BOX 681
 BOX 681
 BOX 756
 BOX 29
 BOX 29

DENVER FEDERAL CENTER

PO BOX 28
PO BOX 28

FERDIG
 FERDIG
 FERDIG
 DENVER
 SHELBY
 GALATA
 LOHAIN
 SUNBURST
 GALATA
 WHITLASH
 WHITLASH
 SHELBY
 SHELBY
 SHELBY
 SHELBY
 KEVIN
 SHELBY
 SHELBY
 SHELBY
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 SOUTHGATE
 CHESTER
 CHESTER
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 SHELBY
 TOLEDO
 TOLEDO
 WALDPORT
 GALATA
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 UILMONT
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 GALATA
 GALATA

BASIN

4/N

**INTERBASIN
TRANSFERS**

41N

Figure V-2

INTERBASIN TRANSFER or POTENTIAL INTERBASIN GROUNDWATER AFFECT

Claim #	POD Basin	POU Basin	S/G	Owner(s) Name & Address
40F-W-153704	40F	41N	S	FIVE H CATTLE Co P.O. Box 4 SHELBY, MT 59474
40F-W-153705	40F	41N	S	"
40F-W-153707	40F	41N	S	"
40F-W-153708	40F	40F & 41N	S	"
40F-W-153711	40F	41N	S	"
40F-W-153714	40F	41N	S	"
40F-W-153719	40F	41N	S	"
40F-W-153722	40F	41N	S	"
40F-W-153723	40F	40F & 41N	S	"
40F-W-153725	40F	40F & 41N	S	"
40F-W-153727	40F	41N	S	"

4-16-86