

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

03/31/95
PAGE 873

WATER RIGHT NUMBER 40J -W-040938-00

***** THIS IS AN INTERBASIN TRANSFER CLAIM *****

THE POINT OF DIVERSION FOR THIS WATER RIGHT IS LOCATED IN ANOTHER BASIN. THE ABBREVIATED INFORMATION PROVIDED HERE IS TO DESCRIBE THE PLACE OF USE IN THIS BASIN. COMPLETE INFORMATION DESCRIBING THE ENTIRE RIGHT CAN BE FOUND IN THE POINT OF DIVERSION BASIN DECREE.

FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

THIS APPROPRIATION OF WATER TAKES WATER FROM THE MIDDLE MILK RIVER DRAINAGE (BASIN 40J) AND USES IT IN THE MIDDLE MILK RIVER DRAINAGE (BASIN 40J), THE BEAVER CREEK DRAINAGE (BASIN 40M) AND THE LOWER MILK RIVER DRAINAGE (BASIN 400). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE.

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

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

OWNERS: USA (DEPT OF INTERIOR BUREAU OF RECLAMATION)
MONTANA PROJECTS OFFICE
PO BOX 30137
BILLINGS MT 59107

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

SOURCE: MILK RIVER
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 02, 1903

FLOW RATE:

VOLUME:

MAXIMUM ACRES:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

RESERVOIR:

PLACE OF USE FOR IRRIGATION:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

FILMED

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

03/31/95
PAGE 874

WATER RIGHT NUMBER 40J -W-040938-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE PLACE OF USE IS THAT PORTION OF THE 47,895.58 ACRES IN THE MALTA IRRIGATION DISTRICT LOCATED BELOW NELSON RESERVOIR, AND THE 19,621.97 ACRES IN THE GLASGOW IRRIGATION DISTRICT.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* THE PLACE OF USE HAS NOT BEEN EXAMINED. MAXIMUM ACRES *
* OR EXACT PLACE OF USE CANNOT BE DETERMINED DUE TO LACK *
* OF DATA. *
* *

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

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

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



IN REPLY REFER TO:

MT-740
WTR-4.10

United States Department of the Interior

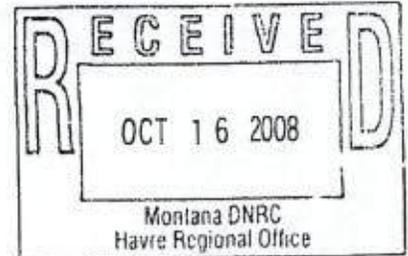
BUREAU OF RECLAMATION

Great Plains Region
Montana Area Office
P.O. Box 30137

Billings, Montana 59107-0137



OCT 15 2008



Mr. Bob Larson, Regional Manager
Department of Natural Resources and Conservation
Havre Water Resources Regional Office
Water Resources Division
P.O. Box 1828
Havre, MT 59501-1828

Subject: Amendment of Water Right Claim 40J 40938-00 for the Bureau of Reclamation
Milk River Project

Dear Mr. Larson:

Attached is an amendment for Water Right Claim 40J 40938 for Nelson Reservoir, a facility of the United States Bureau of Reclamation for the Milk River Project. Reclamation is amending this claim after considering the maturing of the adjudication process and after discussion with adjudication staff about issues raised during examination of the claim.

The intent of amending the claim is to reflect the multi-purpose nature of the use of the water related to the Milk River Project claims. This approach is consistent with how the Montana Water Court has decreed the State water project claims and our understanding of how the Department of Natural Resources and Conservation is approving permits for new water appropriations for multi-purpose uses under a single water right. The water made available by this water right is diverted to storage and is subsequently used through contracts with third parties or is used for incidental, non-consumptive purposes at the reservoir.

Reclamation presently has four water right claims that describe the water right for Nelson Reservoir - water right claims numbers 40J 40938-00, 40J 40939-00, 40J 40940, and 40J 40941. The amendment for water right claim number 40J 40938 reflects the following major changes:

1. Purpose (use) from IRRIGATION to STORAGE FOR MULTIPLE USE. The water stored in Nelson Reservoir has historically been used for irrigation, fish and wildlife, recreation, municipal, industrial, stock, domestic, and lawn and garden purposes by the Milk River Project.
2. Place of Use from the irrigated area in the Milk River Valley to a general service area where the water is used for multiple uses in the Milk River Valley. The service area is similar to the service area identified in the Lake Sherburne, St. Mary Canal, and Fresno Reservoir claims, except the Nelson Reservoir claim only includes that area that can be physically served by water stored in Nelson Reservoir. That service area generally includes lands served by the Nelson South Canal and lands along the Milk River from Cree Crossing downstream to near Nashua, Montana, the end of the Milk River Project.

3. Period of use.

Water right claim numbers 40J 40939-00, 40J 40940, and 40J 40941 will be withdrawn when the DNRC accepts the amendments to water right claim 40J 40938, as these water rights are implied within water right claim 40J 40938.

The August 21, 2008, review abstract for claim 40J 40938 included a remark stating that information submitted with the claim indicated that the Dodson South Canal capacity was 500 cfs, not the 600 cfs claimed for this water right. Reclamation submitted the portion of the Reclamation Project Data Book related to the Milk River Project. This document is a compilation of data for Reclamation projects and is in error regarding the capacity of the Dodson South Canal. Reclamation, along with your agency and others, conducted a water measurement study in 1986 of the canals of the Milk River Project. The report documenting the study indicates that the 'estimated present' capacity of the Dodson South Canal is 590 cfs and the flow in the canal was actually measured at 557 cfs. We believe this information sufficiently supports our claim that the capacity of the Dodson South Canal is 600 cfs, not 500 cfs, and the remark that appears in the review abstract should be removed from future abstracts of this water right.

Included with this letter are:

1. A signed and notarized amendment form for claim 40J-40938,
2. Attachment 1 for claim 40J-40938 which describes the service area of the Milk River Project, the place where the water is used,
3. A map of the service area place of use,
4. A DNRC Reservoir Information Worksheet completed for Nelson Reservoir,
5. A draft water right abstract for claim 40T-40955 which helps identify the essential elements of the water right and helps convey how we believe the water right should be described and decreed, and
6. A copy of relevant parts of the report "Milk River Project Water Measurement Data, Summer 1986" to support the claimed diversion flow rate of 600 cfs.

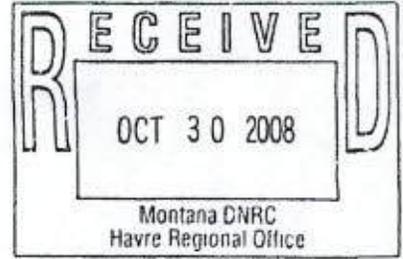
We would be agreeable to meeting with you in Havre or Helena to explain our amendment in more detail if you would like. Please contact me at (406)247-7331 or by email at lduberstein@gp.usbr.gov if you would like to meet.

Sincerely,



Leonard Duberstein, Manager
Planning & Project Development

Enclosures(6)



AMENDMENT TO STATEMENT OF CLAIM

Claim Nos.: 403 40938

Owner(s): USA, Department of Interior Bureau of Reclamation

I make the following amendment(s) to the above statement of claim(s):
(Complete only those sections that require amendment.)

1. Owner of Water Right: (last, first, middle initial) See attachment

Co-owner or Other Interested Owner: (last, first, middle initial)

Address
City, State, Zip Code

Home Phone No. () Business Phone No. ()

2. Purpose (use): Storage for Multiple Purpose (for use or lease pursuant to contract or other obligations)

- a. If irrigation, method of irrigation use: Sprinkler, Flood, Water spreading, Subirrigation, Natural Overflow
b. If domestic, number of households served:
c. If stock, total number and type of livestock served:

3. Source of Water: Tributary of

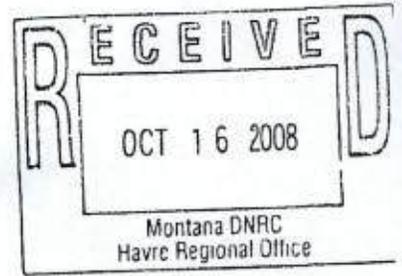
4. Point of Diversion: County - See attachment
Table with columns for Lot, Block, 1/4, 1/4, 1/4, Section, T, R

Subdivision:
Replaces claimed information, Supplements claimed information, Addendum included

Please attach a map showing all points of diversion for this water right.

5. Means of Diversion: Well, Instream Use, Dam, Headgate, Pump: Capacity - gpm, Other -

6. Means of Conveyance: Ditch, Pipeline, Instream Use, Other -



DNRC RESERVOIR INFORMATION WORKSHEET

Claim No(s) 40J-40938-00 and others, Nelson Reservoir

Claimant United States Department of Interior Bureau of Reclamation

Please complete as much of the following information as you can and return it to the Water Resources Regional Office within thirty (30) days. A guide for identifying the capacity of reservoirs, lakes, and ponds is provided. Please call our office if you have questions or need assistance.

A. Data

1. If a dam:

- a. Dam height 28 feet
b. Maximum depth (spillway height) 21.6 feet
c. Surface area when full, in acres 4,320 acres
d. Volume (acre-feet) 79,224 acre-feet Compute as follows: surface area in acres x maximum depth in feet x 0.4 = acre-feet
e. How were these measurements taken? topographic, rangeline surey

Nelson Reservoir is formed by 5 dikes. Item A.1.a. and b. refer to the largest dike.

Items A.1.c and d. are Based on the original reservoir area survey.

2. If a pit: NA

- a. Length (feet) _____ Width (feet) _____ Depth (feet) _____
b. Volume (acre-feet) _____ Compute as follows: Length in feet x width in feet x depth in feet x .05 = acre-feet 43,560
c. How were these measurements taken? _____

3. Is the reservoir: on the source _____ off the XXX _____

B. Operation

1. If you have a headgate, drawdown tube or pump for diverting water from the reservoir, how much of your reservoir can you drain?

1/4 1/2 3/4 All or Percent _____

The top of the inactive pool at Elevation 2200.0 feet has 18,650 acre-feet of storage.

2. Period of year when water is diverted, impounded or withdrawn from the source into the reservoir or pit (month/day) March 1 to October 31, inclusive

3. Period of year when water is diverted or released from reservoir or pit for use (month/day) January 1 to December 31, inclusive

4. If the reservoir is off the source, how is water diverted from the source to the reservoir?

a. Headgate and/or Ditch (give dimensions and flow rate)

Dodson Diversion Dam and Dodson South Canal; 600 cfs

b. Pump (give size, type and flow rate)

c. Other (give capacity) _____

C. History and Condition

1. When was dam/pit built? Initial construction 1914-15; enlargement in 1921-22.

DNRC RESERVOIR INFORMATION-WORKSHEET

Claim No(s) 40J-40938-00 and others, Nelson Reservoir

History and Condition (cont.)

- 2. When was it first used for purpose claimed? June 1915
- 3. Does the reservoir hold water? Yes
- 4. Is the dam (or dike) washed out or breached? No
If so, how long has it been this way? _____
Do you plan to repair it? _____ When? _____
- 5. Has dam been raised? Yes If so, when? 1921-1922
Did this add to freeboard, capacity, or both? Both
How much was the capacity increased? From approximately 52,250 acre-feet to 79,224 acre-feet.
- 6. Is reservoir also used for another purpose? Yes

Please explain See comments below

Comments:

Signature: _____ Date: _____

XXX Owner ___ Other: _____

FOR DEPARTMENT USE ONLY

DNRC Reservoir/Pit Estimate:

Dam Height: _____ ft Maximum Depth: _____ ft
Surface Area: _____ acres Capacity: _____ ac-ft

Information obtained:

_____ DNRC Data Sources _____ Claim File
_____ Outside Data Sources: _____
_____ Personal Interview: Date/Location _____
_____ Telephone Interview: Date/Time _____
_____ Sent to Claimant: Date _____ Returned: Yes No

Reviewer: _____ Date: _____

DRAFT ABSTRACT OF WATER RIGHT CLAIM

** Denotes amended elements

WATER RIGHT NUMBER 40J 40938-00

OWNERS: U.S. DEPT OF INTERIOR BUREAU OF RECLAMATION
P.O. BOX 30137-0137
BILLINGS, MT 59107-0137

PRIORITY DATE: NOVEMBER 2, 1903

**PURPOSE (USE): STORAGE FOR MULTIPLE PURPOSES (for use or lease pursuant
to contract or other obligations)

MAXIMUM FLOW RATE: 600.0 CFS

MAXIMUM VOLUME: 79,224 ACRE-FEET

SOURCE: MILK RIVER
SOURCE TYPE: SURFACE WATER

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY
SEWSE 26 31N 26E PHILLIPS

DIVERSION MEANS: DIVERSION DAM

DITCH NAME: DODSON SOUTH CANAL

RESERVOIR: OFF STREAM RESERVOIR NAME: NELSON RESERVOIR

LOT BLK QTR SEC SEC TWP RGE COUNTY
SEWSE 26 31N 26E PHILLIPS

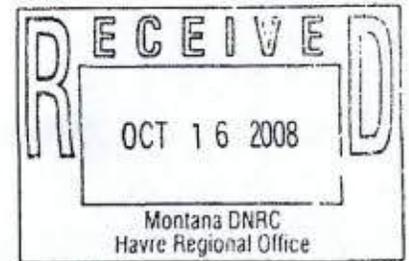
PERIOD OF DIVERSION: MARCH 1 TO NOVEMBER 19

**PERIOD OF USE: JANUARY 1 TO DECEMBER 31

**PLACE OF USE:

THE SERVICE AREA OF THE MILK RIVER PROJECT SERVED BY THIS WATER RIGHT IS
DESCRIBED IN ATTACHEMENT 1 OF THIS AMENDMENT.

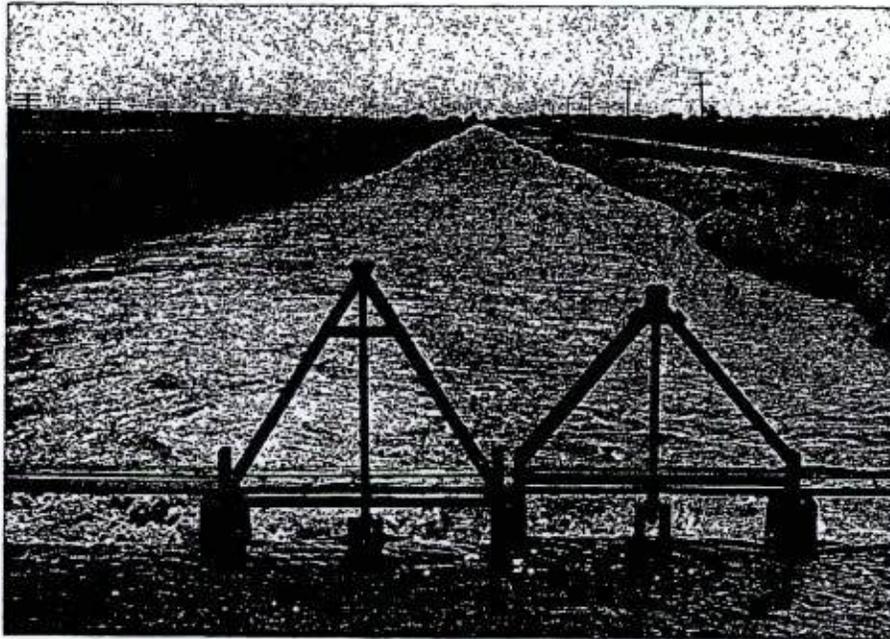
ATTACHMENT 1
40J 40938
AMENDMENT OF SEPTEMBER 2008
SERVICE AREA OF THE MILK RIVER PROJECT
NELSON RESERVOIR



| Section(s) | TWP | RGE |
|-------------|------|------|
| 25, 26, 35, | | |
| 36 | 32 N | 31 E |
| All | 32 N | 32 E |
| 1-6 | 31 N | 32 E |
| All | 32 N | 33 E |
| All | 31 N | 33 E |
| All | 32 N | 34 E |
| All | 31 N | 34 E |
| All | 32 N | 35 E |
| All | 31 N | 35 E |
| All | 31 N | 36 E |
| 1 thru 12 | 30 N | 36 E |
| 29 thru 32 | 31 N | 37 E |
| All | 30 N | 37 E |
| All | 30 N | 38 E |
| 1 | 28 N | 38 E |
| All | 29 N | 38 E |
| All | 29 N | 39 E |
| All | 28 N | 39 E |
| All | 28 N | 40 E |
| All | 27 N | 40 E |
| All | 28 N | 41 E |
| All | 27 N | 41 E |
| All | 27 N | 42 E |

RECEIVED
OCT 16 2008
Montana CNRC
Havre Regional Office

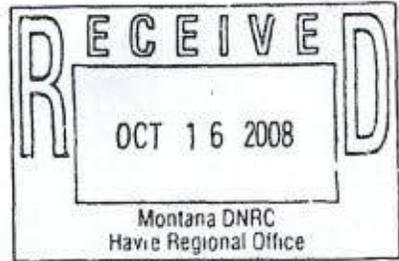
MILK RIVER PROJECT
WATER MEASUREMENT DATA
SUMMER 1986



by

U. S. Bureau of Reclamation
—
U. S. Soil and Conservation Service
—
Montana Department of
Natural Resources and Conservation
—
Blaine, Phillips, and Valley
County Conservation Districts

March 1987



Milk River Project
Water Measurement Data

Summer 1986

U.S. Bureau of Reclamation

**Montana Department of Natural
Resources and Conservation**

**Blaine, Phillips, and Valley County
Conservation Districts**

March 1987

nonbeneficial users including phreatophytes. In some parts of the system there were indications of canal seepage, leaky headgates, leaking wasteway structures, and sloughing of the canal sides. These problem areas present a loss of water to the system and can delay canal deliveries.

The Milk River valley has a flat slope which inhibits the movement of water from the river, through the canals, to the farmers. Many of the canals are long and sinuous. There exists a growth of willows, trees, shrubs, weeds, and grasses along stretches of some canals. Studies have shown that systems can lose up to 25 percent of their diversions to these water consuming plants. Canal cleaning or herbicide application could aid in the delivery of water and the elimination of excessive water use.

The Milk River canal system was constructed about 70 years ago and throughout those years, the canal configuration has changed. Canal banks have sloughed, deteriorated, or changed alignment due to a variety of problems. Increased wetted perimeter and cross sectional area will decrease the water velocities. This increases the difficulty of moving water throughout the system to provide water diversions. The canals should be stabilized where needed and cleaned periodically to maintain slope.

Because of the above conditions, the establishment of a rehabilitation and betterment project for the Milk River Basin would improve the water delivery capabilities of the canal systems. Annual water savings could be realized. Each irrigator could expect a more efficient delivery of water to their farms. Overall, the people of the Milk River Valley would benefit from a construction program of this type.

Canal Capacities

Table 4 shows the peak measured discharges that were obtained during the irrigation season at the head ends of the canals. These values were either directly measured using flow meters or were obtained indirectly using the preliminary USGS rating curves and the highest observed staff gage reading.

Table 4 compares the measured discharges with the estimated present canal capacities which are being used in the Milk River Water Supply Study. As can be seen all of the canals, except for Nelson South, had peak measured discharges at their head ends which were less than their estimated present canal capacities. The discharge in Nelson South was 14 percent higher than its present estimated canal capacity. The peak measured discharge is not necessarily the peak canal discharge for the irrigation season since measurements might not have been made when the actual peak occurred.

Appendix B includes the preliminary USGS rating curves for all main canal headworks. Again, adequate rating curves could not be generated due to changing canal configurations and operations. It may be possible to obtain usable rating curves with additional measurements although it probably will be a difficult task and will require close cooperation between the irrigation districts and the USGS. This probably will necessitate the use of channel stabilization near the gaging stations in some of the canals.

Table 4 - 1986 Maximum Canal Discharge Based
on Available Flow Measurements

| <u>Canal</u> | <u>Date of Measurement</u> | <u>Gage Height (feet)</u> | <u>Source of Measurement</u> | <u>1/</u> | <u>1986 Peak Measured Discharge ft³/s</u> | <u>Estimated Present Canal Capacity ft³/s</u> |
|-----------------|----------------------------|---------------------------|------------------------------|-----------|--|--|
| Dodson North | 7/22/86 | 3.87 | USGS (meter) | | 180 | 250 |
| Dodson South | 7/03/86 | 6.08 | USBR (curve) | | 557 | 590 |
| Nelson South | 7/24/86 | 4.86 | USBR (curve) | | 286 | 250 |
| Fort Belknap | 6/23/86 | 5.58 | USBR (curve) | | 299 | 400 |
| Harlem | 7/11/86 | 5.32 | USBR (curve) | | 100 | 310 |
| Paradise Valley | 7/07/86 | 3.72 | USBR (meter) | | 182 | 220 |
| Zurich | 7/29/86 | 5.10 | USGS (meter) | | 135 | --- |
| Alfalfa Valley | 7/29/86 | 3.43 | USGS (meter) | | 201 | --- |
| Vandalia | 5/07/86 | 5.80 | USGS (meter) | | 291 | 340 |

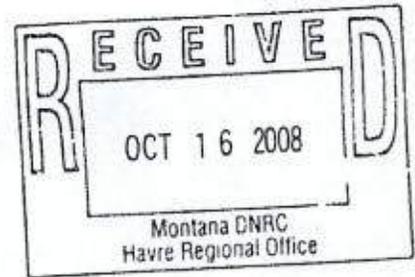
1/ Meter = Discharge was obtained by flow meter.

Curve = Discharge was derived from staff gage measurement and rating curve.

DRAFT ABSTRACT OF WATER RIGHT CLAIM

** Denotes amended elements

WATER RIGHT NUMBER 40J 40938-00



OWNERS: U.S. DEPT OF INTERIOR BUREAU OF RECLAMATION
P.O. BOX 30137-0137
BILLINGS, MT 59107-0137

PRIORITY DATE: NOVEMBER 2, 1903

**PURPOSE (USE): STORAGE FOR MULTIPLE USE

MAXIMUM FLOW RATE: 600.0 CFS

MAXIMUM VOLUME: 79,224 ACRE-FEET

SOURCE: MILK RIVER
SOURCE TYPE: SURFACE WATER

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

SENWSE 26 31N 26E PHILLIPS

DIVERSION MEANS: DIVERSION DAM

DITCH NAME: DODSON SOUTH CANAL

RESERVOIR: OFF STREAM RESERVOIR NAME: NELSON RESERVOIR

LOT BLK QTR SEC SEC TWP RGE COUNTY

SENWSE 26 31N 26E PHILLIPS

PERIOD OF DIVERSION: MARCH 1 TO NOVEMBER 19

**PERIOD OF USE: JANUARY 1 TO DECEMBER 31

**PLACE OF USE:

THE SERVICE AREA OF THE MILK RIVER PROJECT SERVED BY THIS WATER RIGHT IS DESCRIBED IN ATTACHEMENT 1 OF THIS AMENDMENT.

THE BENEFICIAL USE OF THE WATER IS GOVERNED BY CONTRACTS INCLUDING MUNICIPAL USES IN THE TOWNS OF HAVRE, CHINOOK, AND HARLEM, IRRIGATION OF 119,731 ACRES, STOCK, AND LAWN AND GARDEN USES WITHIN THE FORT BELKNAP IRRIGATION DISTRICT (6,482 ACRES), ZURICH IRRIGATION DISTRICT (7,664 ACRES), ALFALFA VALLEY IRRIGATION DISTRICT (3,664 ACRES), HARLEM IRRIGATION DISTRICT (11,148 ACRES), PARADISE VALLEY IRRIGATION DISTRICT (8,315 ACRES), DODSON IRRIGATION DISTRICT (1,006 ACRES), MALTA IRRIGATION DISTRICT (42,487 ACRES), GLASGOW IRRIGATION DISTRICT (18,011 ACRES), THE FORT BELKNAP INDIAN IRRIGATION PROJECT (10,425 ACRES), AND 10,529 ACRES UNDER PRIVATE IRRIGATION, FISH AND WILDLIFE USE AT BOWDOIN NATIONAL WILDLIFE AND OTHER MISCELLANEOUS USES. WATER IS ALSO BENEFICIALLY USED AROUND NELSON RESERVOIR LAND FOR FISH AND WILDLIFE AND RECREATION USES.

**PRELIMINARY DECREE
MILK RIVER BETWEEN FRESNO RESERVOIR & WHITEWATER CREEK
BASIN 40J
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES FROM THE MIDDLE MILK RIVER DRAINAGE (BASIN 40J) AND USES IT IN THE MIDDLE MILK RIVER DRAINAGE (BASIN 40J), THE LOWER MILK RIVER DRAINAGE (BASIN 40O), THE BEAVER CREEK DRAINAGE (BASIN 40M), THE ROCK CREEK DRAINAGE (BASIN 40N), THE MISSOURI RIVER DRAINAGE BELOW FORT PECK RESERVOIR (BASIN 40S), THE FRENCHMAN CREEK DRAINAGE (BASIN 40L), AND THE WHITEWATER CREEK DRAINAGE (BASIN 40K). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 40J 40938-00 STATEMENT OF CLAIM

Version: 2 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: USA (DEPT OF INTERIOR BUREAU OF RECLAMATION)
MILK RIVER
PO BOX 30137
BILLINGS, MT 59107 0137**

Priority Date: NOVEMBER 2, 1903

Type of Historical Right: FILED

Purpose(use): SALE

Purpose Clarification: STORAGE FOR MULTIPLE USES

THE FOLLOWING STATEMENT WAS SUBMITTED BY THE CLAIMANT WITH AN AMENDMENT ON 10/16/2008: THE WATER MADE AVAILABLE BY THIS WATER RIGHT IS DIVERTED TO STORAGE AND IS SUBSEQUENTLY USED THROUGH CONTRACTS WITH THIRD PARTIES OR IS USED FOR INCIDENTAL, NON-CONSUMPTIVE PURPOSES AT THE RESERVOIR. THE WATER STORED IN NELSON RESERVOIR HAS HISTORICALLY BEEN USED FOR IRRIGATION, FISH AND WILDLIFE, RECREATION, MUNICIPAL, INDUSTRIAL, STOCK, DOMESTIC, AND LAWN AND GARDEN PURPOSES BY THE MILK RIVER PROJECT.

Flow Rate: 600.00 CFS

Volume: 79,224.00 AC-FT

Source Name: MILK RIVER
 Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

| <u>ID</u> | <u>Govt Lot</u> | <u>Qtr Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|-----------------|----------------|------------|------------|------------|---------------|
| 1 | 4 | SENWSE | 26 | 31N | 26E | PHILLIPS |

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DIVERSION DAM

Ditch Name: DODSON SOUTH CANAL

THE DODSON SOUTH CANAL TRANSPORTS WATER TO NELSON RESERVOIR. WATER STORED IN NELSON RESERVOIR IS RELEASED INTO THE NELSON SOUTH CANAL TO SERVE THAT PORTION OF THE MALTA IRRIGATION DISTRICT BELOW NELSON RESERVOIR. THE NELSON NORTH CANAL IS USED TO CONVEY WATER STORED IN NELSON RESERVOIR TO THE MILK RIVER WHICH IS USED AS A NATURAL CARRIER TO THE GLASGOW IRRIGATION DISTRICT DIVERSION IN LOT 2 SEC 7 TWP 30N RGE 37E VALLEY COUNTY.

THE HEADGATE FOR THE DODSON SOUTH CANAL IS LOCATED IN LOT 13 SEC 26 TWP 31N RGE 26E PHILLIPS COUNTY.

Reservoir: OFFSTREAM Reservoir Name: NELSON RESERVOIR

| <u>Govt Lot</u> | <u>Qtr Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------------|----------------|------------|------------|------------|---------------|
| | N2SENE | 14 | 32N | 32E | PHILLIPS |

Diversion to Reservoir: DIVERSION # 1

Dam Height: 28.00 FEET

Depth: 20.00 FEET

Surface Area: 4,320.00 ACRES

Capacity: 79,224.00 ACRE-FEET

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

Period of Use: MARCH 1 TO NOVEMBER 15

Place of Use:

| <u>ID</u> | <u>Acres</u> | <u>Govt Lot</u> | <u>Qtr Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|--------------|-----------------|----------------|------------|------------|------------|---------------|
| 1 | | | | 1 | 27N | 40E | VALLEY |
| 2 | | | | 2 | 27N | 40E | VALLEY |
| 3 | | | | 3 | 27N | 40E | VALLEY |
| 4 | | | | 4 | 27N | 40E | VALLEY |
| 5 | | | | 5 | 27N | 40E | VALLEY |
| 6 | | | | 6 | 27N | 40E | VALLEY |
| 7 | | | | 7 | 27N | 40E | VALLEY |
| 8 | | | | 8 | 27N | 40E | VALLEY |
| 9 | | | | 9 | 27N | 40E | VALLEY |
| 10 | | | | 10 | 27N | 40E | VALLEY |
| 11 | | | | 11 | 27N | 40E | VALLEY |
| 12 | | | | 12 | 27N | 40E | VALLEY |
| 13 | | | | 13 | 27N | 40E | VALLEY |
| 14 | | | | 14 | 27N | 40E | VALLEY |
| 15 | | | | 15 | 27N | 40E | VALLEY |

Place of Use:

| <u>ID</u> | <u>Acres</u> <u>Govt Lot</u> | <u>Qtr</u> <u>Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|------------------------------|-----------------------|------------|------------|------------|---------------|
| 16 | | | 16 | 27N | 40E | VALLEY |
| 17 | | | 17 | 27N | 40E | VALLEY |
| 18 | | | 18 | 27N | 40E | VALLEY |
| 19 | | | 19 | 27N | 40E | VALLEY |
| 20 | | | 20 | 27N | 40E | VALLEY |
| 21 | | | 21 | 27N | 40E | VALLEY |
| 22 | | | 22 | 27N | 40E | VALLEY |
| 23 | | | 23 | 27N | 40E | VALLEY |
| 24 | | | 24 | 27N | 40E | VALLEY |
| 25 | | | 25 | 27N | 40E | VALLEY |
| 26 | | | 26 | 27N | 40E | VALLEY |
| 27 | | | 27 | 27N | 40E | VALLEY |
| 28 | | | 28 | 27N | 40E | VALLEY |
| 29 | | | 29 | 27N | 40E | VALLEY |
| 30 | | | 30 | 27N | 40E | VALLEY |
| 31 | | | 31 | 27N | 40E | VALLEY |
| 32 | | | 32 | 27N | 40E | VALLEY |
| 33 | | | 33 | 27N | 40E | VALLEY |
| 34 | | | 34 | 27N | 40E | VALLEY |
| 35 | | | 35 | 27N | 40E | VALLEY |
| 36 | | | 36 | 27N | 40E | VALLEY |
| 37 | | | 1 | 27N | 41E | VALLEY |
| 38 | | | 2 | 27N | 41E | VALLEY |
| 39 | | | 3 | 27N | 41E | VALLEY |
| 40 | | | 4 | 27N | 41E | VALLEY |
| 41 | | | 5 | 27N | 41E | VALLEY |
| 42 | | | 6 | 27N | 41E | VALLEY |
| 43 | | | 7 | 27N | 41E | VALLEY |
| 44 | | | 8 | 27N | 41E | VALLEY |
| 45 | | | 9 | 27N | 41E | VALLEY |
| 46 | | | 10 | 27N | 41E | VALLEY |
| 47 | | | 11 | 27N | 41E | VALLEY |
| 48 | | | 12 | 27N | 41E | VALLEY |
| 49 | | | 13 | 27N | 41E | VALLEY |
| 50 | | | 14 | 27N | 41E | VALLEY |
| 51 | | | 15 | 27N | 41E | VALLEY |
| 52 | | | 16 | 27N | 41E | VALLEY |
| 53 | | | 17 | 27N | 41E | VALLEY |
| 54 | | | 18 | 27N | 41E | VALLEY |
| 55 | | | 19 | 27N | 41E | VALLEY |
| 56 | | | 20 | 27N | 41E | VALLEY |
| 57 | | | 21 | 27N | 41E | VALLEY |
| 58 | | | 22 | 27N | 41E | VALLEY |

Place of Use:

| <u>ID</u> | <u>Acres Govt Lot</u> | <u>Qtr Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|-----------------------|----------------|------------|------------|------------|---------------|
| 59 | | | 23 | 27N | 41E | VALLEY |
| 60 | | | 24 | 27N | 41E | VALLEY |
| 61 | | | 25 | 27N | 41E | VALLEY |
| 62 | | | 26 | 27N | 41E | VALLEY |
| 63 | | | 27 | 27N | 41E | VALLEY |
| 64 | | | 28 | 27N | 41E | VALLEY |
| 65 | | | 29 | 27N | 41E | VALLEY |
| 66 | | | 30 | 27N | 41E | VALLEY |
| 67 | | | 31 | 27N | 41E | VALLEY |
| 68 | | | 32 | 27N | 41E | VALLEY |
| 69 | | | 33 | 27N | 41E | VALLEY |
| 70 | | | 34 | 27N | 41E | VALLEY |
| 71 | | | 35 | 27N | 41E | VALLEY |
| 72 | | | 36 | 27N | 41E | VALLEY |
| 73 | | | 1 | 27N | 42E | VALLEY |
| 74 | | | 2 | 27N | 42E | VALLEY |
| 75 | | | 3 | 27N | 42E | VALLEY |
| 76 | | | 4 | 27N | 42E | VALLEY |
| 77 | | | 5 | 27N | 42E | VALLEY |
| 78 | | | 6 | 27N | 42E | VALLEY |
| 79 | | | 7 | 27N | 42E | VALLEY |
| 80 | | | 8 | 27N | 42E | VALLEY |
| 81 | | | 9 | 27N | 42E | VALLEY |
| 82 | | | 10 | 27N | 42E | VALLEY |
| 83 | | | 11 | 27N | 42E | VALLEY |
| 84 | | | 12 | 27N | 42E | VALLEY |
| 85 | | | 13 | 27N | 42E | VALLEY |
| 86 | | | 14 | 27N | 42E | VALLEY |
| 87 | | | 15 | 27N | 42E | VALLEY |
| 88 | | | 16 | 27N | 42E | VALLEY |
| 89 | | | 17 | 27N | 42E | VALLEY |
| 90 | | | 18 | 27N | 42E | VALLEY |
| 91 | | | 19 | 27N | 42E | VALLEY |
| 92 | | | 20 | 27N | 42E | VALLEY |
| 93 | | | 21 | 27N | 42E | VALLEY |
| 94 | | | 22 | 27N | 42E | VALLEY |
| 95 | | | 23 | 27N | 42E | VALLEY |
| 96 | | | 24 | 27N | 42E | VALLEY |
| 97 | | | 25 | 27N | 42E | VALLEY |
| 98 | | | 26 | 27N | 42E | VALLEY |
| 99 | | | 27 | 27N | 42E | VALLEY |
| 100 | | | 28 | 27N | 42E | VALLEY |
| 101 | | | 29 | 27N | 42E | VALLEY |

Place of Use:

| <u>ID</u> | <u>Acres</u> | <u>Govt Lot</u> | <u>Qtr</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|--------------|-----------------|------------|------------|------------|------------|---------------|
| 102 | | | | 30 | 27N | 42E | VALLEY |
| 103 | | | | 31 | 27N | 42E | VALLEY |
| 104 | | | | 32 | 27N | 42E | VALLEY |
| 105 | | | | 33 | 27N | 42E | VALLEY |
| 106 | | | | 34 | 27N | 42E | VALLEY |
| 107 | | | | 35 | 27N | 42E | VALLEY |
| 108 | | | | 36 | 27N | 42E | VALLEY |
| 109 | | | | 1 | 28N | 38E | VALLEY |
| 110 | | | | 1 | 28N | 39E | VALLEY |
| 111 | | | | 2 | 28N | 39E | VALLEY |
| 112 | | | | 3 | 28N | 39E | VALLEY |
| 113 | | | | 4 | 28N | 39E | VALLEY |
| 114 | | | | 5 | 28N | 39E | VALLEY |
| 115 | | | | 6 | 28N | 39E | VALLEY |
| 116 | | | | 7 | 28N | 39E | VALLEY |
| 117 | | | | 8 | 28N | 39E | VALLEY |
| 118 | | | | 9 | 28N | 39E | VALLEY |
| 119 | | | | 10 | 28N | 39E | VALLEY |
| 120 | | | | 11 | 28N | 39E | VALLEY |
| 121 | | | | 12 | 28N | 39E | VALLEY |
| 122 | | | | 13 | 28N | 39E | VALLEY |
| 123 | | | | 14 | 28N | 39E | VALLEY |
| 124 | | | | 15 | 28N | 39E | VALLEY |
| 125 | | | | 16 | 28N | 39E | VALLEY |
| 126 | | | | 17 | 28N | 39E | VALLEY |
| 127 | | | | 18 | 28N | 39E | VALLEY |
| 128 | | | | 19 | 28N | 39E | VALLEY |
| 129 | | | | 20 | 28N | 39E | VALLEY |
| 130 | | | | 21 | 28N | 39E | VALLEY |
| 131 | | | | 22 | 28N | 39E | VALLEY |
| 132 | | | | 23 | 28N | 39E | VALLEY |
| 133 | | | | 24 | 28N | 39E | VALLEY |
| 134 | | | | 25 | 28N | 39E | VALLEY |
| 135 | | | | 26 | 28N | 39E | VALLEY |
| 136 | | | | 27 | 28N | 39E | VALLEY |
| 137 | | | | 28 | 28N | 39E | VALLEY |
| 138 | | | | 29 | 28N | 39E | VALLEY |
| 139 | | | | 30 | 28N | 39E | VALLEY |
| 140 | | | | 31 | 28N | 39E | VALLEY |
| 141 | | | | 32 | 28N | 39E | VALLEY |
| 142 | | | | 33 | 28N | 39E | VALLEY |
| 143 | | | | 34 | 28N | 39E | VALLEY |
| 144 | | | | 35 | 28N | 39E | VALLEY |

Place of Use:

| <u>ID</u> | <u>Acres</u> <u>Govt Lot</u> | <u>Qtr</u> <u>Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|------------------------------|-----------------------|------------|------------|------------|---------------|
| 145 | | | 36 | 28N | 39E | VALLEY |
| 146 | | | 1 | 28N | 40E | VALLEY |
| 147 | | | 2 | 28N | 40E | VALLEY |
| 148 | | | 3 | 28N | 40E | VALLEY |
| 149 | | | 4 | 28N | 40E | VALLEY |
| 150 | | | 5 | 28N | 40E | VALLEY |
| 151 | | | 6 | 28N | 40E | VALLEY |
| 152 | | | 7 | 28N | 40E | VALLEY |
| 153 | | | 8 | 28N | 40E | VALLEY |
| 154 | | | 9 | 28N | 40E | VALLEY |
| 155 | | | 10 | 28N | 40E | VALLEY |
| 156 | | | 11 | 28N | 40E | VALLEY |
| 157 | | | 12 | 28N | 40E | VALLEY |
| 158 | | | 13 | 28N | 40E | VALLEY |
| 159 | | | 14 | 28N | 40E | VALLEY |
| 160 | | | 15 | 28N | 40E | VALLEY |
| 161 | | | 16 | 28N | 40E | VALLEY |
| 162 | | | 17 | 28N | 40E | VALLEY |
| 163 | | | 18 | 28N | 40E | VALLEY |
| 164 | | | 19 | 28N | 40E | VALLEY |
| 165 | | | 20 | 28N | 40E | VALLEY |
| 166 | | | 21 | 28N | 40E | VALLEY |
| 167 | | | 22 | 28N | 40E | VALLEY |
| 168 | | | 23 | 28N | 40E | VALLEY |
| 169 | | | 24 | 28N | 40E | VALLEY |
| 170 | | | 25 | 28N | 40E | VALLEY |
| 171 | | | 26 | 28N | 40E | VALLEY |
| 172 | | | 27 | 28N | 40E | VALLEY |
| 173 | | | 28 | 28N | 40E | VALLEY |
| 174 | | | 29 | 28N | 40E | VALLEY |
| 175 | | | 30 | 28N | 40E | VALLEY |
| 176 | | | 31 | 28N | 40E | VALLEY |
| 177 | | | 32 | 28N | 40E | VALLEY |
| 178 | | | 33 | 28N | 40E | VALLEY |
| 179 | | | 34 | 28N | 40E | VALLEY |
| 180 | | | 35 | 28N | 40E | VALLEY |
| 181 | | | 36 | 28N | 40E | VALLEY |
| 182 | | | 1 | 28N | 41E | VALLEY |
| 183 | | | 2 | 28N | 41E | VALLEY |
| 184 | | | 3 | 28N | 41E | VALLEY |
| 185 | | | 4 | 28N | 41E | VALLEY |
| 186 | | | 5 | 28N | 41E | VALLEY |
| 187 | | | 6 | 28N | 41E | VALLEY |

Place of Use:

| <u>ID</u> | <u>Acres</u> <u>Govt Lot</u> | <u>Qtr</u> <u>Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|------------------------------|-----------------------|------------|------------|------------|---------------|
| 188 | | | 7 | 28N | 41E | VALLEY |
| 189 | | | 8 | 28N | 41E | VALLEY |
| 190 | | | 9 | 28N | 41E | VALLEY |
| 191 | | | 10 | 28N | 41E | VALLEY |
| 192 | | | 11 | 28N | 41E | VALLEY |
| 193 | | | 12 | 28N | 41E | VALLEY |
| 194 | | | 13 | 28N | 41E | VALLEY |
| 195 | | | 14 | 28N | 41E | VALLEY |
| 196 | | | 15 | 28N | 41E | VALLEY |
| 197 | | | 16 | 28N | 41E | VALLEY |
| 198 | | | 17 | 28N | 41E | VALLEY |
| 199 | | | 18 | 28N | 41E | VALLEY |
| 200 | | | 19 | 28N | 41E | VALLEY |
| 201 | | | 20 | 28N | 41E | VALLEY |
| 202 | | | 21 | 28N | 41E | VALLEY |
| 203 | | | 22 | 28N | 41E | VALLEY |
| 204 | | | 23 | 28N | 41E | VALLEY |
| 205 | | | 24 | 28N | 41E | VALLEY |
| 206 | | | 25 | 28N | 41E | VALLEY |
| 207 | | | 26 | 28N | 41E | VALLEY |
| 208 | | | 27 | 28N | 41E | VALLEY |
| 209 | | | 28 | 28N | 41E | VALLEY |
| 210 | | | 29 | 28N | 41E | VALLEY |
| 211 | | | 30 | 28N | 41E | VALLEY |
| 212 | | | 31 | 28N | 41E | VALLEY |
| 213 | | | 32 | 28N | 41E | VALLEY |
| 214 | | | 33 | 28N | 41E | VALLEY |
| 215 | | | 34 | 28N | 41E | VALLEY |
| 216 | | | 35 | 28N | 41E | VALLEY |
| 217 | | | 36 | 28N | 41E | VALLEY |
| 218 | | | 1 | 29N | 38E | VALLEY |
| 219 | | | 2 | 29N | 38E | VALLEY |
| 220 | | | 3 | 29N | 38E | VALLEY |
| 221 | | | 4 | 29N | 38E | VALLEY |
| 222 | | | 5 | 29N | 38E | VALLEY |
| 223 | | | 6 | 29N | 38E | VALLEY |
| 224 | | | 7 | 29N | 38E | VALLEY |
| 225 | | | 8 | 29N | 38E | VALLEY |
| 226 | | | 9 | 29N | 38E | VALLEY |
| 227 | | | 10 | 29N | 38E | VALLEY |
| 228 | | | 11 | 29N | 38E | VALLEY |
| 229 | | | 12 | 29N | 38E | VALLEY |
| 230 | | | 13 | 29N | 38E | VALLEY |

Place of Use:

| <u>ID</u> | <u>Acres</u> <u>Govt Lot</u> | <u>Qtr</u> <u>Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|------------------------------|-----------------------|------------|------------|------------|---------------|
| 231 | | | 14 | 29N | 38E | VALLEY |
| 232 | | | 15 | 29N | 38E | VALLEY |
| 233 | | | 16 | 29N | 38E | VALLEY |
| 234 | | | 17 | 29N | 38E | VALLEY |
| 235 | | | 18 | 29N | 38E | VALLEY |
| 236 | | | 19 | 29N | 38E | VALLEY |
| 237 | | | 20 | 29N | 38E | VALLEY |
| 238 | | | 21 | 29N | 38E | VALLEY |
| 239 | | | 22 | 29N | 38E | VALLEY |
| 240 | | | 23 | 29N | 38E | VALLEY |
| 241 | | | 24 | 29N | 38E | VALLEY |
| 242 | | | 25 | 29N | 38E | VALLEY |
| 243 | | | 26 | 29N | 38E | VALLEY |
| 244 | | | 27 | 29N | 38E | VALLEY |
| 245 | | | 28 | 29N | 38E | VALLEY |
| 246 | | | 29 | 29N | 38E | VALLEY |
| 247 | | | 30 | 29N | 38E | VALLEY |
| 248 | | | 31 | 29N | 38E | VALLEY |
| 249 | | | 32 | 29N | 38E | VALLEY |
| 250 | | | 33 | 29N | 38E | VALLEY |
| 251 | | | 34 | 29N | 38E | VALLEY |
| 252 | | | 35 | 29N | 38E | VALLEY |
| 253 | | | 36 | 29N | 38E | VALLEY |
| 254 | | | 1 | 29N | 39E | VALLEY |
| 255 | | | 2 | 29N | 39E | VALLEY |
| 256 | | | 3 | 29N | 39E | VALLEY |
| 257 | | | 4 | 29N | 39E | VALLEY |
| 258 | | | 5 | 29N | 39E | VALLEY |
| 259 | | | 6 | 29N | 39E | VALLEY |
| 260 | | | 7 | 29N | 39E | VALLEY |
| 261 | | | 8 | 29N | 39E | VALLEY |
| 262 | | | 9 | 29N | 39E | VALLEY |
| 263 | | | 10 | 29N | 39E | VALLEY |
| 264 | | | 11 | 29N | 39E | VALLEY |
| 265 | | | 12 | 29N | 39E | VALLEY |
| 266 | | | 13 | 29N | 39E | VALLEY |
| 267 | | | 14 | 29N | 39E | VALLEY |
| 268 | | | 15 | 29N | 39E | VALLEY |
| 269 | | | 16 | 29N | 39E | VALLEY |
| 270 | | | 17 | 29N | 39E | VALLEY |
| 271 | | | 18 | 29N | 39E | VALLEY |
| 272 | | | 19 | 29N | 39E | VALLEY |
| 273 | | | 20 | 29N | 39E | VALLEY |

Place of Use:

| <u>ID</u> | <u>Acres</u> <u>Govt Lot</u> | <u>Qtr</u> <u>Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|------------------------------|-----------------------|------------|------------|------------|---------------|
| 274 | | | 21 | 29N | 39E | VALLEY |
| 275 | | | 22 | 29N | 39E | VALLEY |
| 276 | | | 23 | 29N | 39E | VALLEY |
| 277 | | | 24 | 29N | 39E | VALLEY |
| 278 | | | 25 | 29N | 39E | VALLEY |
| 279 | | | 26 | 29N | 39E | VALLEY |
| 280 | | | 27 | 29N | 39E | VALLEY |
| 281 | | | 28 | 29N | 39E | VALLEY |
| 282 | | | 29 | 29N | 39E | VALLEY |
| 283 | | | 30 | 29N | 39E | VALLEY |
| 284 | | | 31 | 29N | 39E | VALLEY |
| 285 | | | 32 | 29N | 39E | VALLEY |
| 286 | | | 33 | 29N | 39E | VALLEY |
| 287 | | | 34 | 29N | 39E | VALLEY |
| 288 | | | 35 | 29N | 39E | VALLEY |
| 289 | | | 36 | 29N | 39E | VALLEY |
| 290 | | | 1 | 30N | 36E | VALLEY |
| 291 | | | 2 | 30N | 36E | VALLEY |
| 292 | | | 3 | 30N | 36E | VALLEY |
| 293 | | | 4 | 30N | 36E | VALLEY |
| 294 | | | 5 | 30N | 36E | VALLEY |
| 295 | | | 6 | 30N | 36E | VALLEY |
| 296 | | | 7 | 30N | 36E | VALLEY |
| 297 | | | 8 | 30N | 36E | VALLEY |
| 298 | | | 9 | 30N | 36E | VALLEY |
| 299 | | | 10 | 30N | 36E | VALLEY |
| 300 | | | 11 | 30N | 36E | VALLEY |
| 301 | | | 12 | 30N | 36E | VALLEY |
| 302 | | | 1 | 30N | 37E | VALLEY |
| 303 | | | 2 | 30N | 37E | VALLEY |
| 304 | | | 3 | 30N | 37E | VALLEY |
| 305 | | | 4 | 30N | 37E | VALLEY |
| 306 | | | 5 | 30N | 37E | VALLEY |
| 307 | | | 6 | 30N | 37E | VALLEY |
| 308 | | | 7 | 30N | 37E | VALLEY |
| 309 | | | 8 | 30N | 37E | VALLEY |
| 310 | | | 9 | 30N | 37E | VALLEY |
| 311 | | | 10 | 30N | 37E | VALLEY |
| 312 | | | 11 | 30N | 37E | VALLEY |
| 313 | | | 12 | 30N | 37E | VALLEY |
| 314 | | | 13 | 30N | 37E | VALLEY |
| 315 | | | 14 | 30N | 37E | VALLEY |
| 316 | | | 15 | 30N | 37E | VALLEY |

Place of Use:

| <u>ID</u> | <u>Acres</u> <u>Govt Lot</u> | <u>Qtr</u> <u>Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|------------------------------|-----------------------|------------|------------|------------|---------------|
| 317 | | | 16 | 30N | 37E | VALLEY |
| 318 | | | 17 | 30N | 37E | VALLEY |
| 319 | | | 18 | 30N | 37E | VALLEY |
| 320 | | | 19 | 30N | 37E | VALLEY |
| 321 | | | 20 | 30N | 37E | VALLEY |
| 322 | | | 21 | 30N | 37E | VALLEY |
| 323 | | | 22 | 30N | 37E | VALLEY |
| 324 | | | 23 | 30N | 37E | VALLEY |
| 325 | | | 24 | 30N | 37E | VALLEY |
| 326 | | | 25 | 30N | 37E | VALLEY |
| 327 | | | 26 | 30N | 37E | VALLEY |
| 328 | | | 27 | 30N | 37E | VALLEY |
| 329 | | | 28 | 30N | 37E | VALLEY |
| 330 | | | 29 | 30N | 37E | VALLEY |
| 331 | | | 30 | 30N | 37E | VALLEY |
| 332 | | | 31 | 30N | 37E | VALLEY |
| 333 | | | 32 | 30N | 37E | VALLEY |
| 334 | | | 33 | 30N | 37E | VALLEY |
| 335 | | | 34 | 30N | 37E | VALLEY |
| 336 | | | 35 | 30N | 37E | VALLEY |
| 337 | | | 36 | 30N | 37E | VALLEY |
| 338 | | | 1 | 30N | 38E | VALLEY |
| 339 | | | 2 | 30N | 38E | VALLEY |
| 340 | | | 3 | 30N | 38E | VALLEY |
| 341 | | | 4 | 30N | 38E | VALLEY |
| 342 | | | 5 | 30N | 38E | VALLEY |
| 343 | | | 6 | 30N | 38E | VALLEY |
| 344 | | | 7 | 30N | 38E | VALLEY |
| 345 | | | 8 | 30N | 38E | VALLEY |
| 346 | | | 9 | 30N | 38E | VALLEY |
| 347 | | | 10 | 30N | 38E | VALLEY |
| 348 | | | 11 | 30N | 38E | VALLEY |
| 349 | | | 12 | 30N | 38E | VALLEY |
| 350 | | | 13 | 30N | 38E | VALLEY |
| 351 | | | 14 | 30N | 38E | VALLEY |
| 352 | | | 15 | 30N | 38E | VALLEY |
| 353 | | | 16 | 30N | 38E | VALLEY |
| 354 | | | 17 | 30N | 38E | VALLEY |
| 355 | | | 18 | 30N | 38E | VALLEY |
| 356 | | | 19 | 30N | 38E | VALLEY |
| 357 | | | 20 | 30N | 38E | VALLEY |
| 358 | | | 21 | 30N | 38E | VALLEY |
| 359 | | | 22 | 30N | 38E | VALLEY |

Place of Use:

| <u>ID</u> | <u>Acres</u> | <u>Govt Lot</u> | <u>Qtr</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|--------------|-----------------|------------|------------|------------|------------|---------------|
| 360 | | | | 23 | 30N | 38E | VALLEY |
| 361 | | | | 24 | 30N | 38E | VALLEY |
| 362 | | | | 25 | 30N | 38E | VALLEY |
| 363 | | | | 26 | 30N | 38E | VALLEY |
| 364 | | | | 27 | 30N | 38E | VALLEY |
| 365 | | | | 28 | 30N | 38E | VALLEY |
| 366 | | | | 29 | 30N | 38E | VALLEY |
| 367 | | | | 30 | 30N | 38E | VALLEY |
| 368 | | | | 31 | 30N | 38E | VALLEY |
| 369 | | | | 32 | 30N | 38E | VALLEY |
| 370 | | | | 33 | 30N | 38E | VALLEY |
| 371 | | | | 34 | 30N | 38E | VALLEY |
| 372 | | | | 35 | 30N | 38E | VALLEY |
| 373 | | | | 36 | 30N | 38E | VALLEY |
| 374 | | | | 1 | 31N | 32E | PHILLIPS |
| 375 | | | | 2 | 31N | 32E | PHILLIPS |
| 376 | | | | 3 | 31N | 32E | PHILLIPS |
| 377 | | | | 4 | 31N | 32E | PHILLIPS |
| 378 | | | | 5 | 31N | 32E | PHILLIPS |
| 379 | | | | 6 | 31N | 32E | PHILLIPS |
| 380 | | | | 1 | 31N | 33E | PHILLIPS |
| 381 | | | | 2 | 31N | 33E | PHILLIPS |
| 382 | | | | 3 | 31N | 33E | PHILLIPS |
| 383 | | | | 4 | 31N | 33E | PHILLIPS |
| 384 | | | | 5 | 31N | 33E | PHILLIPS |
| 385 | | | | 6 | 31N | 33E | PHILLIPS |
| 386 | | | | 7 | 31N | 33E | PHILLIPS |
| 387 | | | | 8 | 31N | 33E | PHILLIPS |
| 388 | | | | 9 | 31N | 33E | PHILLIPS |
| 389 | | | | 10 | 31N | 33E | PHILLIPS |
| 390 | | | | 11 | 31N | 33E | PHILLIPS |
| 391 | | | | 12 | 31N | 33E | PHILLIPS |
| 392 | | | | 13 | 31N | 33E | PHILLIPS |
| 393 | | | | 14 | 31N | 33E | PHILLIPS |
| 394 | | | | 15 | 31N | 33E | PHILLIPS |
| 395 | | | | 16 | 31N | 33E | PHILLIPS |
| 396 | | | | 17 | 31N | 33E | PHILLIPS |
| 397 | | | | 18 | 31N | 33E | PHILLIPS |
| 398 | | | | 19 | 31N | 33E | PHILLIPS |
| 399 | | | | 20 | 31N | 33E | PHILLIPS |
| 400 | | | | 21 | 31N | 33E | PHILLIPS |
| 401 | | | | 22 | 31N | 33E | PHILLIPS |
| 402 | | | | 23 | 31N | 33E | PHILLIPS |

Place of Use:

| <u>ID</u> | <u>Acres</u> <u>Govt Lot</u> | <u>Qtr</u> <u>Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|------------------------------|-----------------------|------------|------------|------------|---------------|
| 403 | | | 24 | 31N | 33E | PHILLIPS |
| 404 | | | 25 | 31N | 33E | PHILLIPS |
| 405 | | | 26 | 31N | 33E | PHILLIPS |
| 406 | | | 27 | 31N | 33E | PHILLIPS |
| 407 | | | 28 | 31N | 33E | PHILLIPS |
| 408 | | | 29 | 31N | 33E | PHILLIPS |
| 409 | | | 30 | 31N | 33E | PHILLIPS |
| 410 | | | 31 | 31N | 33E | PHILLIPS |
| 411 | | | 32 | 31N | 33E | PHILLIPS |
| 412 | | | 33 | 31N | 33E | PHILLIPS |
| 413 | | | 34 | 31N | 33E | PHILLIPS |
| 414 | | | 35 | 31N | 33E | PHILLIPS |
| 415 | | | 36 | 31N | 33E | PHILLIPS |
| 416 | | | 1 | 31N | 34E | VALLEY |
| 417 | | | 2 | 31N | 34E | VALLEY |
| 418 | | | 3 | 31N | 34E | VALLEY |
| 419 | | | 4 | 31N | 34E | PHILLIPS |
| 420 | | | 5 | 31N | 34E | PHILLIPS |
| 421 | | | 6 | 31N | 34E | PHILLIPS |
| 422 | | | 7 | 31N | 34E | PHILLIPS |
| 423 | | | 8 | 31N | 34E | PHILLIPS |
| 424 | | | 9 | 31N | 34E | PHILLIPS |
| 425 | | | 10 | 31N | 34E | VALLEY |
| 426 | | | 11 | 31N | 34E | VALLEY |
| 427 | | | 12 | 31N | 34E | VALLEY |
| 428 | | | 13 | 31N | 34E | VALLEY |
| 429 | | | 14 | 31N | 34E | VALLEY |
| 430 | | | 15 | 31N | 34E | VALLEY |
| 431 | | | 16 | 31N | 34E | PHILLIPS |
| 432 | | | 16 | 31N | 34E | VALLEY |
| 433 | | | 17 | 31N | 34E | PHILLIPS |
| 434 | | | 18 | 31N | 34E | PHILLIPS |
| 435 | | | 19 | 31N | 34E | PHILLIPS |
| 436 | | | 20 | 31N | 34E | PHILLIPS |
| 437 | | | 21 | 31N | 34E | PHILLIPS |
| 438 | | | 22 | 31N | 34E | VALLEY |
| 439 | | | 23 | 31N | 34E | VALLEY |
| 440 | | | 24 | 31N | 34E | VALLEY |
| 441 | | | 25 | 31N | 34E | VALLEY |
| 442 | | | 26 | 31N | 34E | VALLEY |
| 443 | | | 27 | 31N | 34E | VALLEY |
| 444 | | | 28 | 31N | 34E | PHILLIPS |
| 445 | | | 29 | 31N | 34E | PHILLIPS |

Place of Use:

| <u>ID</u> | <u>Acres</u> | <u>Govt Lot</u> | <u>Qtr</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|--------------|-----------------|------------|------------|------------|------------|---------------|
| 446 | | | | 30 | 31N | 34E | PHILLIPS |
| 447 | | | | 31 | 31N | 34E | PHILLIPS |
| 448 | | | | 32 | 31N | 34E | PHILLIPS |
| 449 | | | | 33 | 31N | 34E | PHILLIPS |
| 450 | | | | 34 | 31N | 34E | VALLEY |
| 451 | | | | 35 | 31N | 34E | VALLEY |
| 452 | | | | 36 | 31N | 34E | VALLEY |
| 453 | | | | 1 | 31N | 35E | VALLEY |
| 454 | | | | 2 | 31N | 35E | VALLEY |
| 455 | | | | 3 | 31N | 35E | VALLEY |
| 456 | | | | 4 | 31N | 35E | VALLEY |
| 457 | | | | 5 | 31N | 35E | VALLEY |
| 458 | | | | 6 | 31N | 35E | VALLEY |
| 459 | | | | 7 | 31N | 35E | VALLEY |
| 460 | | | | 8 | 31N | 35E | VALLEY |
| 461 | | | | 9 | 31N | 35E | VALLEY |
| 462 | | | | 10 | 31N | 35E | VALLEY |
| 463 | | | | 11 | 31N | 35E | VALLEY |
| 464 | | | | 12 | 31N | 35E | VALLEY |
| 465 | | | | 13 | 31N | 35E | VALLEY |
| 466 | | | | 14 | 31N | 35E | VALLEY |
| 467 | | | | 15 | 31N | 35E | VALLEY |
| 468 | | | | 16 | 31N | 35E | VALLEY |
| 469 | | | | 17 | 31N | 35E | VALLEY |
| 470 | | | | 18 | 31N | 35E | VALLEY |
| 471 | | | | 19 | 31N | 35E | VALLEY |
| 472 | | | | 20 | 31N | 35E | VALLEY |
| 473 | | | | 21 | 31N | 35E | VALLEY |
| 474 | | | | 22 | 31N | 35E | VALLEY |
| 475 | | | | 23 | 31N | 35E | VALLEY |
| 476 | | | | 24 | 31N | 35E | VALLEY |
| 477 | | | | 25 | 31N | 35E | VALLEY |
| 478 | | | | 26 | 31N | 35E | VALLEY |
| 479 | | | | 27 | 31N | 35E | VALLEY |
| 480 | | | | 28 | 31N | 35E | VALLEY |
| 481 | | | | 29 | 31N | 35E | VALLEY |
| 482 | | | | 30 | 31N | 35E | VALLEY |
| 483 | | | | 31 | 31N | 35E | VALLEY |
| 484 | | | | 32 | 31N | 35E | VALLEY |
| 485 | | | | 33 | 31N | 35E | VALLEY |
| 486 | | | | 34 | 31N | 35E | VALLEY |
| 487 | | | | 35 | 31N | 35E | VALLEY |
| 488 | | | | 36 | 31N | 35E | VALLEY |

Place of Use:

| <u>ID</u> | <u>Acres Govt Lot</u> | <u>Qtr</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|-----------------------|------------|------------|------------|------------|---------------|
| 489 | | | 1 | 31N | 36E | VALLEY |
| 490 | | | 2 | 31N | 36E | VALLEY |
| 491 | | | 3 | 31N | 36E | VALLEY |
| 492 | | | 4 | 31N | 36E | VALLEY |
| 493 | | | 5 | 31N | 36E | VALLEY |
| 494 | | | 6 | 31N | 36E | VALLEY |
| 495 | | | 7 | 31N | 36E | VALLEY |
| 496 | | | 8 | 31N | 36E | VALLEY |
| 497 | | | 9 | 31N | 36E | VALLEY |
| 498 | | | 10 | 31N | 36E | VALLEY |
| 499 | | | 11 | 31N | 36E | VALLEY |
| 500 | | | 12 | 31N | 36E | VALLEY |
| 501 | | | 13 | 31N | 36E | VALLEY |
| 502 | | | 14 | 31N | 36E | VALLEY |
| 503 | | | 15 | 31N | 36E | VALLEY |
| 504 | | | 16 | 31N | 36E | VALLEY |
| 505 | | | 17 | 31N | 36E | VALLEY |
| 506 | | | 18 | 31N | 36E | VALLEY |
| 507 | | | 19 | 31N | 36E | VALLEY |
| 508 | | | 20 | 31N | 36E | VALLEY |
| 509 | | | 21 | 31N | 36E | VALLEY |
| 510 | | | 22 | 31N | 36E | VALLEY |
| 511 | | | 23 | 31N | 36E | VALLEY |
| 512 | | | 24 | 31N | 36E | VALLEY |
| 513 | | | 25 | 31N | 36E | VALLEY |
| 514 | | | 26 | 31N | 36E | VALLEY |
| 515 | | | 27 | 31N | 36E | VALLEY |
| 516 | | | 28 | 31N | 36E | VALLEY |
| 517 | | | 29 | 31N | 36E | VALLEY |
| 518 | | | 30 | 31N | 36E | VALLEY |
| 519 | | | 31 | 31N | 36E | VALLEY |
| 520 | | | 32 | 31N | 36E | VALLEY |
| 521 | | | 33 | 31N | 36E | VALLEY |
| 522 | | | 34 | 31N | 36E | VALLEY |
| 523 | | | 35 | 31N | 36E | VALLEY |
| 524 | | | 36 | 31N | 36E | VALLEY |
| 525 | | | 29 | 31N | 37E | VALLEY |
| 526 | | | 30 | 31N | 37E | VALLEY |
| 527 | | | 31 | 31N | 37E | VALLEY |
| 528 | | | 32 | 31N | 37E | VALLEY |
| 529 | | | 25 | 32N | 31E | PHILLIPS |
| 530 | | | 26 | 32N | 31E | PHILLIPS |
| 531 | | | 35 | 32N | 31E | PHILLIPS |

JUNE 24, 2010

40J 40938-00

Page 15 of 19

Place of Use:

| <u>ID</u> | <u>Acres</u> | <u>Govt Lot</u> | <u>Qtr</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|--------------|-----------------|------------|------------|------------|------------|---------------|
| 532 | | | | 36 | 32N | 31E | PHILLIPS |
| 533 | | | | 1 | 32N | 32E | PHILLIPS |
| 534 | | | | 2 | 32N | 32E | PHILLIPS |
| 535 | | | | 3 | 32N | 32E | PHILLIPS |
| 536 | | | | 4 | 32N | 32E | PHILLIPS |
| 537 | | | | 5 | 32N | 32E | PHILLIPS |
| 538 | | | | 6 | 32N | 32E | PHILLIPS |
| 539 | | | | 7 | 32N | 32E | PHILLIPS |
| 540 | | | | 8 | 32N | 32E | PHILLIPS |
| 541 | | | | 9 | 32N | 32E | PHILLIPS |
| 542 | | | | 10 | 32N | 32E | PHILLIPS |
| 543 | | | | 11 | 32N | 32E | PHILLIPS |
| 544 | | | | 12 | 32N | 32E | PHILLIPS |
| 545 | | | | 13 | 32N | 32E | PHILLIPS |
| 546 | | | | 14 | 32N | 32E | PHILLIPS |
| 547 | | | | 15 | 32N | 32E | PHILLIPS |
| 548 | | | | 16 | 32N | 32E | PHILLIPS |
| 549 | | | | 17 | 32N | 32E | PHILLIPS |
| 550 | | | | 18 | 32N | 32E | PHILLIPS |
| 551 | | | | 19 | 32N | 32E | PHILLIPS |
| 552 | | | | 20 | 32N | 32E | PHILLIPS |
| 553 | | | | 21 | 32N | 32E | PHILLIPS |
| 554 | | | | 22 | 32N | 32E | PHILLIPS |
| 555 | | | | 23 | 32N | 32E | PHILLIPS |
| 556 | | | | 24 | 32N | 32E | PHILLIPS |
| 557 | | | | 25 | 32N | 32E | PHILLIPS |
| 558 | | | | 26 | 32N | 32E | PHILLIPS |
| 559 | | | | 27 | 32N | 32E | PHILLIPS |
| 560 | | | | 28 | 32N | 32E | PHILLIPS |
| 561 | | | | 29 | 32N | 32E | PHILLIPS |
| 562 | | | | 30 | 32N | 32E | PHILLIPS |
| 563 | | | | 31 | 32N | 32E | PHILLIPS |
| 564 | | | | 32 | 32N | 32E | PHILLIPS |
| 565 | | | | 33 | 32N | 32E | PHILLIPS |
| 566 | | | | 34 | 32N | 32E | PHILLIPS |
| 567 | | | | 35 | 32N | 32E | PHILLIPS |
| 568 | | | | 36 | 32N | 32E | PHILLIPS |
| 569 | | | | 1 | 32N | 33E | PHILLIPS |
| 570 | | | | 2 | 32N | 33E | PHILLIPS |
| 571 | | | | 3 | 32N | 33E | PHILLIPS |
| 572 | | | | 4 | 32N | 33E | PHILLIPS |
| 573 | | | | 5 | 32N | 33E | PHILLIPS |
| 574 | | | | 6 | 32N | 33E | PHILLIPS |

Place of Use:

| <u>ID</u> | <u>Acres</u> | <u>Govt Lot</u> | <u>Qtr</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|--------------|-----------------|------------|------------|------------|------------|---------------|
| 575 | | | | 7 | 32N | 33E | PHILLIPS |
| 576 | | | | 8 | 32N | 33E | PHILLIPS |
| 577 | | | | 9 | 32N | 33E | PHILLIPS |
| 578 | | | | 10 | 32N | 33E | PHILLIPS |
| 579 | | | | 11 | 32N | 33E | PHILLIPS |
| 580 | | | | 12 | 32N | 33E | PHILLIPS |
| 581 | | | | 13 | 32N | 33E | PHILLIPS |
| 582 | | | | 14 | 32N | 33E | PHILLIPS |
| 583 | | | | 15 | 32N | 33E | PHILLIPS |
| 584 | | | | 16 | 32N | 33E | PHILLIPS |
| 585 | | | | 17 | 32N | 33E | PHILLIPS |
| 586 | | | | 18 | 32N | 33E | PHILLIPS |
| 587 | | | | 19 | 32N | 33E | PHILLIPS |
| 588 | | | | 20 | 32N | 33E | PHILLIPS |
| 589 | | | | 21 | 32N | 33E | PHILLIPS |
| 590 | | | | 22 | 32N | 33E | PHILLIPS |
| 591 | | | | 23 | 32N | 33E | PHILLIPS |
| 592 | | | | 24 | 32N | 33E | PHILLIPS |
| 593 | | | | 25 | 32N | 33E | PHILLIPS |
| 594 | | | | 26 | 32N | 33E | PHILLIPS |
| 595 | | | | 27 | 32N | 33E | PHILLIPS |
| 596 | | | | 28 | 32N | 33E | PHILLIPS |
| 597 | | | | 29 | 32N | 33E | PHILLIPS |
| 598 | | | | 30 | 32N | 33E | PHILLIPS |
| 599 | | | | 31 | 32N | 33E | PHILLIPS |
| 600 | | | | 32 | 32N | 33E | PHILLIPS |
| 601 | | | | 33 | 32N | 33E | PHILLIPS |
| 602 | | | | 34 | 32N | 33E | PHILLIPS |
| 603 | | | | 35 | 32N | 33E | PHILLIPS |
| 604 | | | | 36 | 32N | 33E | PHILLIPS |
| 605 | | | | 1 | 32N | 34E | PHILLIPS |
| 606 | | | | 2 | 32N | 34E | PHILLIPS |
| 607 | | | | 3 | 32N | 34E | PHILLIPS |
| 608 | | | | 4 | 32N | 34E | PHILLIPS |
| 609 | | | | 5 | 32N | 34E | PHILLIPS |
| 610 | | | | 6 | 32N | 34E | PHILLIPS |
| 611 | | | | 7 | 32N | 34E | PHILLIPS |
| 612 | | | | 8 | 32N | 34E | PHILLIPS |
| 613 | | | | 9 | 32N | 34E | PHILLIPS |
| 614 | | | | 10 | 32N | 34E | PHILLIPS |
| 615 | | | | 11 | 32N | 34E | PHILLIPS |
| 616 | | | | 12 | 32N | 34E | PHILLIPS |
| 617 | | | | 13 | 32N | 34E | PHILLIPS |

Place of Use:

| <u>ID</u> | <u>Acres</u> <u>Govt Lot</u> | <u>Qtr</u> <u>Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|------------------------------|-----------------------|------------|------------|------------|---------------|
| 618 | | | 14 | 32N | 34E | PHILLIPS |
| 619 | | | 15 | 32N | 34E | PHILLIPS |
| 620 | | | 16 | 32N | 34E | PHILLIPS |
| 621 | | | 17 | 32N | 34E | PHILLIPS |
| 622 | | | 18 | 32N | 34E | PHILLIPS |
| 623 | | | 19 | 32N | 34E | PHILLIPS |
| 624 | | | 20 | 32N | 34E | PHILLIPS |
| 625 | | | 21 | 32N | 34E | PHILLIPS |
| 626 | | | 22 | 32N | 34E | PHILLIPS |
| 627 | | | 23 | 32N | 34E | PHILLIPS |
| 628 | | | 24 | 32N | 34E | PHILLIPS |
| 629 | | | 24 | 32N | 34E | VALLEY |
| 630 | | | 25 | 32N | 34E | VALLEY |
| 631 | | | 26 | 32N | 34E | PHILLIPS |
| 632 | | | 27 | 32N | 34E | PHILLIPS |
| 633 | | | 28 | 32N | 34E | PHILLIPS |
| 634 | | | 29 | 32N | 34E | PHILLIPS |
| 635 | | | 30 | 32N | 34E | PHILLIPS |
| 636 | | | 31 | 32N | 34E | PHILLIPS |
| 637 | | | 32 | 32N | 34E | PHILLIPS |
| 638 | | | 33 | 32N | 34E | PHILLIPS |
| 639 | | | 34 | 32N | 34E | PHILLIPS |
| 640 | | | 35 | 32N | 34E | PHILLIPS |
| 641 | | | 36 | 32N | 34E | VALLEY |
| 642 | | | 1 | 32N | 35E | VALLEY |
| 643 | | | 2 | 32N | 35E | VALLEY |
| 644 | | | 3 | 32N | 35E | VALLEY |
| 645 | | | 4 | 32N | 35E | VALLEY |
| 646 | | | 5 | 32N | 35E | PHILLIPS |
| 647 | | | 6 | 32N | 35E | PHILLIPS |
| 648 | | | 7 | 32N | 35E | PHILLIPS |
| 649 | | | 8 | 32N | 35E | PHILLIPS |
| 650 | | | 9 | 32N | 35E | VALLEY |
| 651 | | | 10 | 32N | 35E | VALLEY |
| 652 | | | 11 | 32N | 35E | VALLEY |
| 653 | | | 12 | 32N | 35E | VALLEY |
| 654 | | | 13 | 32N | 35E | VALLEY |
| 655 | | | 14 | 32N | 35E | VALLEY |
| 656 | | | 15 | 32N | 35E | VALLEY |
| 657 | | | 16 | 32N | 35E | VALLEY |
| 658 | | | 17 | 32N | 35E | PHILLIPS |
| 659 | | | 18 | 32N | 35E | PHILLIPS |
| 660 | | | 19 | 32N | 35E | PHILLIPS |

Place of Use:

| <u>ID</u> | <u>Acres</u> | <u>Govt Lot</u> | <u>Qtr</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|--------------|-----------------|------------|------------|------------|------------|---------------|
| 661 | | | | 19 | 32N | 35E | VALLEY |
| 662 | | | | 20 | 32N | 35E | PHILLIPS |
| 663 | | | | 21 | 32N | 35E | VALLEY |
| 664 | | | | 22 | 32N | 35E | VALLEY |
| 665 | | | | 23 | 32N | 35E | VALLEY |
| 666 | | | | 24 | 32N | 35E | VALLEY |
| 667 | | | | 25 | 32N | 35E | VALLEY |
| 668 | | | | 26 | 32N | 35E | VALLEY |
| 669 | | | | 27 | 32N | 35E | VALLEY |
| 670 | | | | 28 | 32N | 35E | PHILLIPS |
| 671 | | | | 28 | 32N | 35E | VALLEY |
| 672 | | | | 29 | 32N | 35E | PHILLIPS |
| 673 | | | | 29 | 32N | 35E | VALLEY |
| 674 | | | | 30 | 32N | 35E | PHILLIPS |
| 675 | | | | 30 | 32N | 35E | VALLEY |
| 676 | | | | 31 | 32N | 35E | VALLEY |
| 677 | | | | 32 | 32N | 35E | VALLEY |
| 678 | | | | 33 | 32N | 35E | VALLEY |
| 679 | | | | 34 | 32N | 35E | VALLEY |
| 680 | | | | 35 | 32N | 35E | VALLEY |
| 681 | | | | 36 | 32N | 35E | VALLEY |

THE FOLLOWING STATEMENT WAS SUBMITTED BY THE CLAIMANT WITH AN AMENDMENT ON 10/16/2008: THE BENEFICIAL USE OF THE WATER IS GOVERNED BY CONTRACTS INCLUDING MUNICIPAL USES IN THE TOWNS OF HAVRE, CHINOOK, AND HARLEM, IRRIGATION OF 119,731 ACRES, STOCK , AND LAWN AND GARDEN USES WITHIN THE FORT BELKNAP IRRIGATION DISTRICT (6,482 ACRES), ZURICH IRRIGATION DISTRICT (7,664 ACRES), ALFALFA VALLEY IRRIGATION DISTRICT (3,664 ACRES), HARLEM IRRIGATION DISTRICT (11,148 ACRES), PARADISE VALLEY IRRIGATION DISTRICT (8,315 ACRES), DODSON IRRIGATION DISTRICT (1,006 ACRES), MALTA IRRIGATION DISTRICT (42,487 ACRES), GLASGOW IRRIGATION DISTRICT (18,011 ACRES), THE FORT BELKNAP INDIAN IRRIGATION PROJECT (10,425 ACRES), AND 10,529 ACRES UNDER PRIVATE IRRIGATION, FISH AND WILDLIFE USE AT BOWDOIN NATIONAL WILDLIFE AND OTHER MISCELLANEOUS USES. WATER IS ALSO BENEFICIALLY USED AROUND NELSON RESERVOIR LAND FOR FISH AND WILDLIFE AND RECREATION USES. THE NELSON RESERVOIR CLAIM ONLY INCLUDES THAT AREA THAT CAN BE PHYSICALLY SERVED BY WATER STORED IN NELSON RESERVOIR. THAT SERVICE ARE GENERALLY INCLUDES LANDS SERVED BY THE NELSON SOUTH CANAL AND LANDS ALONG THE MILK RIVER FROM CREE CROSSING DOWNSTREAM TO NEAR NASHUA, MONTANA, THE END OF THE MILK RIVER PROJECT

Remarks:

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 04/30/1982.

THE COMPLETE SET OF DOCUMENTATION, MAPS AND OTHER RELATED MATERIALS CAN BE OBTAINED BY REVIEWING FILE NO. 40932-00 AND 40929-00.

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

AN AMENDMENT WAS SUBMITTED ON 10/16/2008 TO AMEND THE PURPOSE, PERIOD OF USE, PRIORITY DATE AND PLACE OF USE. THE AMENDMENT SUBSTANTIALLY CHANGES THE ORIGINALLY FILED STATEMENT OF CLAIM.

THE CLAIMED FLOW RATE OF 600 CFS FROM THE DODSON SOUTH CANAL APPEARS TO EXCEED THE MAXIMUM CAPACITY OF 590 CFS AS INDICATED IN DOCUMENTATION SUBMITTED WITH PROJECT CLAIMS.

CLAIM WAS NOT INCLUDED IN THE BASIN 40K TEMPORARY PRELIMINARY DECREE ISSUED 11/21/1989.

CLAIM WAS NOT INCLUDED IN THE BASIN 40L TEMPORARY PRELIMINARY DECREE ISSUED 01/16/1985.

CLAIM WAS NOT INCLUDED IN THE BASIN 40N PRELIMINARY DECREE ISSUED 08/13/1985.

CLAIM WAS NOT INCLUDED IN THE BASIN 40S PRELIMINARY DECREE ISSUED 12/29/1999.

NO GUIDELINES FOR THIS PURPOSE (SALE) HAVE BEEN GIVEN IN THE CLAIM EXAMINATION RULES. THE PURPOSE WAS EXAMINED USING INFORMATION PROVIDED BY THE CLAIMANT ABOUT SALE TO THE MILK RIVER PROJECT.

ACCORDING TO INFORMATION IN THE CLAIM FILE, THE RESERVOIR WAS CONSTRUCTED IN 1914 WHICH DOES NOT CORRESPOND TO THE CLAIMED PRIORITY DATE. THIS MAY INDICATE AN EXPANSION OF THE WATER RIGHT.

ACCORDING TO INFORMATION IN THE CLAIM FILE, THE RESERVOIR WAS ENLARGED IN 1921 . THIS MAY INDICATE AN EXPANSION OF THE WATER RIGHT.

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.