Montana Water Court
PO Box 1389
Bozeman, MT 59771-1389
1-800-624-3270 (In-state only)
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FILED
AUG 15 2014
Montana Water Court

UNITED STATES DEPARTMENT OF AGRICULTURE, AGRICULTURAL RESEARCH SERVICE, FORT KEOGH LIVESTOCK & RANGE RESEARCH LABORATORY–MONTANA COMPACT

CASE WC2014-07

ORDER CORRECTING ABSTRACTS ATTACHED TO PRELIMINARY DECREE

On August 14, 2014, the Water Court issued the Preliminary Decree and Order for Commencement of Special Proceedings for Consideration of the Fort Keogh Livestock & Range Research Laboratory-Montana Compact ("Preliminary Decree"). The Preliminary Decree contained Attachments 1 through 5, which were the abstracts for the Compact. The status of the claims, as listed on the abstracts, was incorrectly designated as "No Status," rather than "Active." Additionally, the abstract for claim 42C 30025927 was erroneously omitted from Attachment 4. Therefore, it is

ORDERED the abstracts attached to this Order as Attachments 1 through 5 are corrected to reflect the proper status of the Compact claims. The abstract for claim 42C 30025927 has been added to Attachment 4. The abstracts attached to this Order supersede the abstracts attached to the August 14, 2014 Preliminary Decree.

DATED this 15th day of August, 2014.

Russ McElyea
Chief Water Judge

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STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 42C 30025927 COMPACT
Version: 1 -- ORIGINAL RIGHT
Version Status: NO STATUS

Owners: USA (DEPT OF AGRICULTURE RESEARCH SERVICE)
ARS-LIVESTOCK & RESEARCH ST
RT 1 BOX 2021
MILES CITY, MT 59301

Priority Date: APRIL 15, 1924 at 12:00 A.M.
Enforceable Priority Date: APRIL 15, 1924 at 12:00 A.M.

Purpose (use): STOCK
Maximum Flow Rate:
Maximum Volume: 25.00 AC-FT

Source Name: UNNAMED TRIBUTARY OF TONGUE RIVER
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESWNW	33	7N	47E	CUSTER

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: DAM

Reservoir: ON STREAM

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	NESWNW	33	7N	47E	CUSTER

Dam Height: 15.00 FEET
Depth: 12.00 FEET
Surface Area: 3.00 ACRES
Current Capacity: 14.40 ACRE-FEET

Purpose (Use): STOCK
Volume: 25.00 AC-FT
Period of Use: JANUARY 1 to DECEMBER 31
Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			NESWNW	33	7N	47E	CUSTER

Remarks:

THIS COMPACT RIGHT REPLACES PREVIOUS WATER RIGHT NUMBER 42C 176926-00

ATTACHMENT 1

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 42KJ 30025997 COMPACT
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: USA (DEPT OF AGRICULTURE RESEARCH SERVICE)
ARS-LIVESTOCK & RESEARCH ST
RT 1 BOX 2021
MILES CITY, MT 59301

Priority Date: APRIL 15, 1924

Enforceable Priority Date: APRIL 15, 1924

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 26,030.00 GPM

Maximum Volume: 6,092.00 AC-FT

Maximum Acres: 1,523.00

Source Name: YELLOWSTONE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	5	SESWNW	23	7N	46E	CUSTER

Period of Diversion: MARCH 15 TO NOVEMBER 9
Diversion Means: PUMP
Diversion Type: PRIMARY

Purpose (Use): IRRIGATION
Irrigation Type: FLOOD
Climatic Area: 1 - HIGH
Volume: 6,092.00 AC-FT

Period of Use: MARCH 15 to NOVEMBER 4

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	2.20		NENE	12	7N	46E	CUSTER
2	39.70		NESE	12	7N	46E	CUSTER
3	27.80		NWSE	12	7N	46E	CUSTER
4	31.70		SENE	12	7N	46E	CUSTER
5	39.70		SESE	12	7N	46E	CUSTER
6	0.20		SESW	12	7N	46E	CUSTER
7	2.80		SWNE	12	7N	46E	CUSTER
8	37.60		SWSE	12	7N	46E	CUSTER
9	23.50		NENE	13	7N	46E	CUSTER
11	21.10		NESE	13	7N	46E	CUSTER
12	21.10		NESW	13	7N	46E	CUSTER
13	20.30		NWNE	13	7N	46E	CUSTER
14	6.00		NWNW	13	7N	46E	CUSTER
15	33.70		NWSE	13	7N	46E	CUSTER
16	23.00		NWSW	13	7N	46E	CUSTER
17	35.40		SENE	13	7N	46E	CUSTER
18	24.80		SESW	13	7N	46E	CUSTER
19	9.90		SWNE	13	7N	46E	CUSTER
20	27.30		SWNW	13	7N	46E	CUSTER
21	8.00		SWSE	13	7N	46E	CUSTER
22	24.50		SWSW	13	7N	46E	CUSTER
23	27.10		NENE	14	7N	46E	CUSTER
24	0.60		NENW	14	7N	46E	CUSTER
25	39.90		NESE	14	7N	46E	CUSTER
26	19.20		NESW	14	7N	46E	CUSTER
27	21.50		NWNE	14	7N	46E	CUSTER
28	39.90		NWSE	14	7N	46E	CUSTER
29	39.90		SENE	14	7N	46E	CUSTER
30	13.00		SENW	14	7N	46E	CUSTER
31	18.70		SESE	14	7N	46E	CUSTER

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
32	16.10		SESW	14	7N	46E	CUSTER
33	39.90		SWNE	14	7N	46E	CUSTER
34	35.10		SWSE	14	7N	46E	CUSTER
35	34.40		NENE	23	7N	46E	CUSTER
36	19.60		NENW	23	7N	46E	CUSTER
37	20.20		NWNE	23	7N	46E	CUSTER
38	8.30		SENE	23	7N	46E	CUSTER
39	14.20		SENW	23	7N	46E	CUSTER
40	22.70		SWNE	23	7N	46E	CUSTER
41	3.60		NWNW	24	7N	46E	CUSTER
42	9.50		NESW	5	7N	47E	CUSTER
43	36.30		NWSW	5	7N	47E	CUSTER
44	11.50		SENW	5	7N	47E	CUSTER
45	25.60		SWNW	5	7N	47E	CUSTER
46	2.00		SWSW	5	7N	47E	CUSTER
47	31.10		NESE	6	7N	47E	CUSTER
48	12.90		SENE	6	7N	47E	CUSTER
49	6.20		SESE	6	7N	47E	CUSTER
50	11.50		NENE	7	7N	47E	CUSTER
51	18.60		NENW	7	7N	47E	CUSTER
52	2.10		NESE	7	7N	47E	CUSTER
53	39.70		NESW	7	7N	47E	CUSTER
54	12.10		NWNE	7	7N	47E	CUSTER
55	13.60		NWNW	7	7N	47E	CUSTER
56	25.10		NWSE	7	7N	47E	CUSTER
57	39.70		NWSW	7	7N	47E	CUSTER
58	26.70		SENE	7	7N	47E	CUSTER
59	39.70		SENW	7	7N	47E	CUSTER
60	17.80		SESW	7	7N	47E	CUSTER
61	39.80		SWNE	7	7N	47E	CUSTER
62	39.70		SWNW	7	7N	47E	CUSTER
63	35.80		SWSW	7	7N	47E	CUSTER
64	1.90		NWNW	8	7N	47E	CUSTER
65	8.20		SWNW	8	7N	47E	CUSTER
66	38.70		NENW	18	7N	47E	CUSTER
67	5.30		NWNE	18	7N	47E	CUSTER
68	29.80		NWNW	18	7N	47E	CUSTER
69	1.60		NWSW	18	7N	47E	CUSTER
70	11.80		SENW	18	7N	47E	CUSTER
71	34.50		SWNW	18	7N	47E	CUSTER
Total:	1,523.00						

Remarks:

THIS COMPACT RIGHT REPLACES PREVIOUS WATER RIGHT NUMBER 42KJ 177781-00

ATTACHMENT 2

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 42KJ 30025998 COMPACT
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: USA (DEPT OF AGRICULTURE RESEARCH SERVICE)
ARS-LIVESTOCK & RESEARCH ST
RT 1 BOX 2021
MILES CITY, MT 59301

Priority Date: APRIL 15, 1924

Enforceable Priority Date: APRIL 15, 1924

Purpose (use): IRRIGATION

Irrigation Type: WATER SPREADING

Maximum Flow Rate:

Maximum Volume: 1,035.00 AC-FT

Maximum Acres: 450.00

Source Name: RESERVATION CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNENW	16	7N	46E	CUSTER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DIKE

Diversion Type: PRIMARY

Purpose (Use): IRRIGATION

Irrigation Type: WATER SPREADING

Climatic Area: 1 - HIGH

Volume: 1,035.00 AC-FT

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	3.70		NWSW	15	7N	47E	CUSTER
2	28.10		SWSW	15	7N	47E	CUSTER
3	9.50		NENW	16	7N	47E	CUSTER
4	24.60		NESE	16	7N	47E	CUSTER
5	39.90		NESW	16	7N	47E	CUSTER
6	2.40		NWNW	16	7N	47E	CUSTER
7	39.70		NWSE	16	7N	47E	CUSTER
8	39.60		NWSW	16	7N	47E	CUSTER
9	33.50		SENW	16	7N	47E	CUSTER
10	26.80		SESE	16	7N	47E	CUSTER
11	24.80		SESW	16	7N	47E	CUSTER
12	6.20		SWNE	16	7N	47E	CUSTER
13	39.70		SWNW	16	7N	47E	CUSTER
14	27.00		SWSE	16	7N	47E	CUSTER
15	13.60		SWSW	16	7N	47E	CUSTER
16	4.40		NENE	17	7N	47E	CUSTER
17	46.70		NESE	17	7N	47E	CUSTER
18	36.70		SENE	17	7N	47E	CUSTER
19	3.10		SESE	17	7N	47E	CUSTER
Total:	450.00						

Remarks:

THIS COMPACT RIGHT REPLACES PREVIOUS WATER RIGHT NUMBER 42KJ 177782-00

ATTACHMENT 3

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 42C 30025946 COMPACT
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: USA (DEPT OF AGRICULTURE RESEARCH SERVICE)
ARS-LIVESTOCK & RESEARCH ST
RT 1 BOX 2021
MILES CITY, MT 59301

Priority Date: APRIL 15, 1924

Enforceable Priority Date: APRIL 15, 1924

Purpose (use): IRRIGATION

Irrigation Type: WATER SPREADING

Maximum Flow Rate:

Maximum Volume: 467.00 AC-FT

Maximum Acres: 202.80

Source Name: UNNAMED TRIBUTARY OF TONGUE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESWSE	22	7N	47E	CUSTER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DIKE

Diversion Type: PRIMARY

Purpose (Use): IRRIGATION

Irrigation Type: WATER SPREADING

Climatic Area: 1 - HIGH

Volume: 467.00 AC-FT

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	0.60		NENE	22	7N	47E	CUSTER
2	39.90		NESE	22	7N	47E	CUSTER
3	7.10		NWNE	22	7N	47E	CUSTER
4	21.90		NWSE	22	7N	47E	CUSTER
5	27.40		SENE	22	7N	47E	CUSTER
6	2.30		SENW	22	7N	47E	CUSTER
7	6.10		SESE	22	7N	47E	CUSTER
8	38.70		SWNE	22	7N	47E	CUSTER
9	3.60		NESW	23	7N	47E	CUSTER
10	33.00		NWSW	23	7N	47E	CUSTER
11	2.20		SESW	23	7N	47E	CUSTER
12	1.50		SWNW	23	7N	47E	CUSTER
13	18.50		SWSW	23	7N	47E	CUSTER
Total:	202.80						

Remarks:

THIS COMPACT RIGHT REPLACES PREVIOUS WATER RIGHT NUMBER 42C 178595-00