

Montana Water Court
PO Box 1389
Bozeman, MT 59771-1389
1-800-624-3270
(406) 586-4364
watercourt@mt.gov

IN THE WATER COURT OF THE STATE OF MONTANA
LOWER MISSOURI DIVISION
JUDITH RIVER BASIN (41S)
PRELIMINARY DECREE

CLAIMANTS: Katie M. Rein; Jason G. Loose; Wesley M.
Loose

CASE 41S-0629-R-2024

- | | |
|---------------|---------------|
| 41S 142234-00 | 41S 154056-00 |
| 41S 142237-00 | 41S 154057-00 |
| 41S 142243-00 | 41S 154058-00 |
| 41S 142244-00 | 41S 154059-00 |
| 41S 154053-00 | 41S 154060-00 |
| 41S 154054-00 | 41S 154062-00 |
| 41S 154055-00 | 41S 154063-00 |

NOTICE OF FILING OF MASTER’S REPORT

This Master’s Report was filed with the Montana Water Court on the above-stamped date. Please review this report carefully.

You may file a written objection to this Master’s Report within **10 days** of the stamped date if you disagree or find errors with the Master’s findings of fact, conclusions of law, or recommendations. Rule 23, W.R.Adj.R. If the Master’s Report was mailed to you, the Montana Rules of Civil Procedure allow an additional 3 days be added to the 10-day objection period. Rule 6(d), M.R.Civ.P. If you file an objection, you must serve a copy of the objection to all parties on the service list found at the end of the Master’s Report. The original objection and a certificate of mailing to all parties on the service list must be filed with the Water Court.

If you do not file a timely objection, the Water Court will conclude that you agree with the content of this Master's Report.

MASTER'S REPORT

FINDINGS OF FACT

1. Claims 41S 142234-00, 41S 142237-00, 41S 142243-00, 41S 142244-00, 41S 154053-00, 41S 154054-00, 41S 154055-00, 41S 154056-00, 41S 154057-00, 41S 154058-00, 41S 154059-00, 41S 154060-00, 41S 154062-00, and 41S 154063-00 were decreed with DNRC issue remarks.

Claims 41S 142234-00 and 41S 142237-00:

2. Claims 41S 142234-00 and 41S 142237-00 were both claimed and decreed as "use" rights with the following DNRC issue remark:

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A FILED RIGHT.

Properly filed GW4 Declaration of Vested Groundwater Right forms were attached to the Statements of Claims for claims 41S 142234-00 and 41S 142237-00, indicating the claims are "filed" rights rather than "use" rights.

Claims 41S 142243-00 and 41S 142244-00:

3. Fire protection claim 41S 142243-00 was claimed and decreed with the points of diversion listed as:

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr. Sec	Sec	Twp	Rge	County
1		NW	30	14N	15E	JUDITH BASIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	PUMP					
2			19	14N	15E	JUDITH BASIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	PUMP					

Fire protection claim 41S 142244-00 was claimed and decreed with the points of diversion listed as:

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Trp	Rge	County
1		SE	26	14N	14E	JUDITH BASIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	PUMP					
2		NWNW	30	14N	15E	JUDITH BASIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	PUMP					
3		N2SW	25	14N	14E	JUDITH BASIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	PUMP					
4		NW	35	14N	14E	JUDITH BASIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	PUMP					

Claims 41S 142243-00 and 41S 142244-00 were both decreed with the following issue remark:

THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE PUMPS CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

The maps attached to the Statements of Claims are very general, and the issue remark suggested more information is needed regarding the location of the pumps.

Claims 41S 142243-00 and 41S 142244-00 were also decreed with a notice-type remark, as no objections were filed, the remarks will be removed from the claims without further proceedings.

Claims 41S 154053-00 and 41S 154060-00:

4. Fish and wildlife claims 41S 154053-00 and 41S 154060-00 were decreed with a standardized volume remark indicating that the volume could be contested by objection and that if no objection were filed, the volume would be decreed as claimed. Another volume remark was decreed on each claim indicating the volume may be excessive. No objections were filed and the volume issue remarks will be removed from the claims.

Claims 41S 154053-00 and 41S 154060-00 were decreed with additional notice - type remarks that do not require further proceedings.

Claim 41S 154054-00:

5. Claim 41S 154054-00 was decreed with a remark stating:

THIS CLAIM PRESENTS ISSUES OF FACT AND LAW THAT MAY BE ADDRESSED AT THE OBJECTION STAGE. PROBLEMS COULD EXIST WITH FLOW RATE AND VOLUME.

The remark was placed on the claim by Water Master Suzanne Nellen in 1984. However, it is unclear why the remark was added to the claim, or what action is to be taken because of the remark. No objections were filed, and no action will be taken.

An additional notice-type remark was decreed on claim 41S 154054-00 and it does not require further proceedings.

Claims 41S 154055-00, 41S 154056-00, and 41S 154059-00:

6. Claims 41S 154055-00, 41S 154056-00, and 41S 154059-00 were decreed with the “issues of fact and law” remark seen on claim 41S 154054-00; similarly, no action will be taken.

Claims 41S 154055-00, 41S 154056-00, and 41S 154059-00 were also decreed with two notice-type remarks that do not require further action.

Claims 41S 154057-00, 41S 154062-00, and 41S 154063-00:

7. Claims 41S 154057-00, 41S 154062-00, and 41S 154063-00 were decreed with notice-type remarks and do not require further proceedings.

Claim 41S 154058-00:

8. Fish and wildlife claim 41S 154058-00 was decreed with the following issue remark:

THE WATER COURT FINDS NO LEGAL BASIS FOR THIS PURPOSE TO BE CONSIDERED A BENEFICIAL USE OR AN APPROPRIATION OF WATER.

Fish and wildlife use is a beneficial use of water and the remark no longer serves a purpose.

Additionally, claim 41S 154058-00 was decreed with a volume notice-type remark. No objections were filed, and no further proceedings are required.

9. An Order Setting Filing Deadline was issued explaining that all issue remarks must be resolved and most of the issue remarks in this Case do not require further action. The Order set a deadline for Claimants Jason G. Loose, Katie M. Rein,

and Wesley M. Loose time to address the issue remarks that did require further attention. The Order set a deadline for the Claimants to file a statement agreeing or disagreeing that claims 41S 142234-00 and 41S 142237-00 be changed from “use” rights to “filed” rights and that the pumps described by claims 41S 142243-00 and 41S 142244-00 are transitory. The Order indicated that if nothing were filed by the deadline, this Water Master would conclude the Claimants agreed claims 41S 142234-00 and 41S 142237-00 are “filed” rights and the pumps described by claims 41S 142243-00 41S 142244-00 are transitory along the source. The following language was included in the Order:

Failure to comply with the terms of this Order may result in sanctions, up to and including entry of default and termination of a water right claim or dismissal of objections. Rule 22, W.R.Adj.R.

Nothing was filed by the deadline.

PRINCIPLES AND CONCLUSIONS OF LAW

1. The Water Court is required to address all issue remarks decreed on a claim as well as any objections the claim receives. Sections 85-2-233, 85-2-247, and 85-2-248, MCA.
2. A properly filed Statement of Claim for an existing water right is prima facie proof of its content. Section 85-2-227, MCA. This prima facie validity may be overcome by evidence showing that one or more elements of the claim are incorrect. This standard of proof applies to objectors or claimants objecting to their own water right claims. Rule 19, W.R.Adj.R., *Nelson v. Brooks*, 2014 MT 120; 375 Mont.86, 95; 329 P.3d 558, 564.
3. Pursuant to Rule 22, W.R.Adj.R., if a claimant, objector, or intervenor fails to appear at a scheduled conference or hearing or fails to comply with an order issued by the Water Court, the Water Court may issue such orders of sanction with regard thereto as are just.
4. The notice-type issue remarks decreed claims in this Case have served their purpose. As no objections were filed, no further proceedings are required.

RECOMMENDATIONS

1. Claims 41S 142234-00 and 41S 142237-00 should be modified from “use” rights to “filed” rights.
2. The following information remark should be added to claims 41S 142243-00 and 41S 142244-00: **PUMPS ARE MOVEABLE ALONG THE SOURCE WITHIN THE LEGAL LAND DESCRIPTION.**
3. The issue remarks should be removed from the claims in this Case.
Post Decree Abstracts of Water Right Claims are served with the Report for review.

ELECTRONICALLY SIGNED AND DATED BELOW.

Service via USPS Mail:

Katie M. Rein
Jason G. Loose
P.O. Box 305
Harlowton, MT 59036-0305

Wesley M. Loose
1450 W. Cardinal Ave
Hayden, ID 83835-8861

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S**

Water Right Number: 41S 142234-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: JASON G LOOSE
PO BOX 305
HARLOWTON, MT 59036-0305

KATIE M REIN
PO BOX 305
HARLOWTON, MT 59036-0305

Priority Date: DECEMBER 31, 1956

Type of Historical Right: FILED

Purpose (Use): STOCK

Flow Rate: 12.00 GPM

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

Source Name: GROUNDWATER

Source Type: GROUNDWATER

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		S2NESW	19	14N	15E	JUDITH BASIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

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			NESW	19	14N	15E	JUDITH BASIN

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S**

Water Right Number: 41S 142237-00 STATEMENT OF CLAIM
Version: 3 -- POST DECREE
Status: ACTIVE

Owners: JASON G LOOSE
PO BOX 305
HARLOWTON, MT 59036-0305

KATIE M REIN
PO BOX 305
HARLOWTON, MT 59036-0305

Priority Date: DECEMBER 31, 1956

Type of Historical Right: FILED

Purpose (Use): DOMESTIC

Flow Rate: 12.00 GPM

Volume: 5.00 AC-FT

Households: 1

Maximum Acres: 2.00

Source Name: GROUNDWATER

Source Type: GROUNDWATER

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		S2NESW	19	14N	15E	JUDITH BASIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

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	2.00		NESW	19	14N	15E	JUDITH BASIN
Total:	2.00						

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S**

Water Right Number: 41S 142243-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: JASON G LOOSE
PO BOX 305
HARLOWTON, MT 59036-0305

KATIE M REIN
PO BOX 305
HARLOWTON, MT 59036-0305

Priority Date: MARCH 5, 1906

Type of Historical Right: USE

Purpose (Use): FIRE PROTECTION

Flow Rate: 100.00 GPM

***Volume:** THE VOLUME OF THIS WATER RIGHT IS LIMITED TO THE MINIMUM AMOUNTS NECESSARY FOR FIRE PROTECTION PURPOSES.

Source Name: HAUCK COULEE

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		NW	30	14N	15E	JUDITH BASIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: PUMP

2			19	14N	15E	JUDITH BASIN
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: PUMP

PUMPS ARE MOVEABLE ALONG THE SOURCE WITHIN THE LEGAL LAND DESCRIPTION.

Period of Use: JANUARY 1 TO DECEMBER 31

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			NW	30	14N	15E	JUDITH BASIN
2				19	14N	15E	JUDITH BASIN
3			NWSE	35	14N	14E	JUDITH BASIN
4			W2NE	35	14N	14E	JUDITH BASIN
5			W2	35	14N	14E	JUDITH BASIN
6			S2	26	14N	14E	JUDITH BASIN
7			S2	25	14N	14E	JUDITH BASIN

Remarks:

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

142236-00

142243-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S**

Water Right Number: 41S 142244-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: JASON G LOOSE
PO BOX 305
HARLOWTON, MT 59036-0305

WESLEY M LOOSE
1450 W CARDINAL AVE
HAYDEN, ID 83835-8861

KATIE M REIN
PO BOX 305
HARLOWTON, MT 59036-0305

Priority Date: MARCH 5, 1906

Type of Historical Right: USE

Purpose (Use): FIRE PROTECTION

Flow Rate: 100.00 GPM

***Volume:** THE VOLUME OF THIS WATER RIGHT IS LIMITED TO THE MINIMUM AMOUNTS NECESSARY FOR FIRE PROTECTION PURPOSES.

Source Name: UNNAMED TRIBUTARY OF HAUCK COULEE

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		SE	26	14N	14E	JUDITH BASIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	PUMP					
2		NWNW	30	14N	15E	JUDITH BASIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	PUMP					
3		N2SW	25	14N	14E	JUDITH BASIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	PUMP					
4		NW	35	14N	14E	JUDITH BASIN
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	PUMP					

PUMPS ARE MOVEABLE ALONG THE SOURCE WITHIN THE LEGAL LAND DESCRIPTION.

Period of Use: JANUARY 1 TO DECEMBER 31

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			SE	26	14N	14E	JUDITH BASIN
2			N2SW	25	14N	14E	JUDITH BASIN
3			NW	35	14N	14E	JUDITH BASIN
4			NWNW	30	14N	15E	JUDITH BASIN

Remarks:

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

142235-00 142244-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S**

Water Right Number: 41S 154053-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: JASON G LOOSE
PO BOX 305
HARLOWTON, MT 59036-0305

KATIE M REIN
PO BOX 305
HARLOWTON, MT 59036-0305

Priority Date: DECEMBER 31, 1935

Type of Historical Right: USE

Purpose (Use): FISH AND WILDLIFE

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

***Volume:** 250 GALLONS PER YEAR

Source Name: HAUCK COULEE

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		SEWNW	19	14N	15E	JUDITH BASIN

***Period of Diversion:** JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

***Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SEWNW	19	14N	15E	JUDITH BASIN

Diversion to Reservoir: DIVERSION # 1

Dam Height: 13.00 FEET

Depth: 10.00 FEET

Surface Area: 10.50 ACRES

Capacity: 42.00 ACRE-FEET

THE DAM EXTENDS INTO THE SWNE SEC 19 TWP 14N RGE 15E JUDITH BASIN COUNTY.

Period of Use: JANUARY 1 TO DECEMBER 31

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			W2NE	19	14N	15E	JUDITH BASIN

Remarks:

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

154053-00

154055-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S**

Water Right Number: 41S 154054-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: JASON G LOOSE
PO BOX 305
HARLOWTON, MT 59036-0305

KATIE M REIN
PO BOX 305
HARLOWTON, MT 59036-0305

Priority Date: DECEMBER 31, 1935

Type of Historical Right: USE

Purpose (Use): AGRICULTURAL SPRAYING

***Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

Volume: 0.10 AC-FT

Source Name: HAUCK COULEE

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		SEWNNE	19	14N	15E	JUDITH BASIN

***Period of Diversion:** JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

PUMP USED AS AN ADDITIONAL MEANS OF DIVERSION.

Reservoir: ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SEWNNE	19	14N	15E	JUDITH BASIN

Diversion to Reservoir: DIVERSION # 1

Period of Use: MARCH 31 TO NOVEMBER 30

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			NWSE	35	14N	14E	JUDITH BASIN
2			W2NE	35	14N	14E	JUDITH BASIN
3			W2	35	14N	14E	JUDITH BASIN
4			S2	26	14N	14E	JUDITH BASIN
5			S2	25	14N	14E	JUDITH BASIN

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S**

Water Right Number: 41S 154055-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: JASON G LOOSE
PO BOX 305
HARLOWTON, MT 59036-0305

KATIE M REIN
PO BOX 305
HARLOWTON, MT 59036-0305

Priority Date: DECEMBER 31, 1935

Type of Historical Right: USE

Purpose (Use): FIRE PROTECTION

***Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

***Volume:** THE VOLUME OF THIS WATER RIGHT IS LIMITED TO THE MINIMUM AMOUNTS NECESSARY FOR FIRE PROTECTION PURPOSES.

Source Name: HAUCK COULEE

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		SEWNW	19	14N	15E	JUDITH BASIN

***Period of Diversion:** JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

PUMP USED AS AN ADDITIONAL MEANS OF DIVERSION.

***Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SEWNW	19	14N	15E	JUDITH BASIN

Diversion to Reservoir: DIVERSION # 1

Dam Height: 27.00 FEET

Depth: 24.00 FEET

Surface Area: 15.12 ACRES

Capacity: 144.00 ACRE-FEET

Period of Use: JANUARY 1 TO DECEMBER 31

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				19	14N	15E	JUDITH BASIN
2			NW	30	14N	15E	JUDITH BASIN
3			NWSE	35	14N	14E	JUDITH BASIN

4	E2NE	35	14N	14E	JUDITH BASIN
5	W2	35	14N	14E	JUDITH BASIN

Remarks:

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

154053-00

154055-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S**

Water Right Number: 41S 154056-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: JASON G LOOSE
PO BOX 305
HARLOWTON, MT 59036-0305

KATIE M REIN
PO BOX 305
HARLOWTON, MT 59036-0305

Priority Date: AUGUST 31, 1952

Type of Historical Right: USE

Purpose (Use): FIRE PROTECTION

***Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

***Volume:** THE VOLUME OF THIS WATER RIGHT IS LIMITED TO THE MINIMUM AMOUNTS NECESSARY FOR FIRE PROTECTION PURPOSES.

Source Name: UNNAMED TRIBUTARY OF HAUCK COULEE

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		NESWNW	35	14N	14E	JUDITH BASIN

***Period of Diversion:** JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

PUMP USED AS AN ADDITIONAL MEANS OF DIVERSION.

***Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESWNW	35	14N	14E	JUDITH BASIN

Diversion to Reservoir: DIVERSION # 1

Dam Height: 13.00 FEET

Depth: 10.00 FEET

Surface Area: 1.66 ACRES

Capacity: 6.64 ACRE-FEET

Period of Use: JANUARY 1 TO DECEMBER 31

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			NW	35	14N	14E	JUDITH BASIN

Remarks:

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

154056-00

154057-00

154063-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S**

Water Right Number: 41S 154057-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: JASON G LOOSE
PO BOX 305
HARLOWTON, MT 59036-0305

KATIE M REIN
PO BOX 305
HARLOWTON, MT 59036-0305

Priority Date: AUGUST 31, 1952

Type of Historical Right: USE

Purpose (Use): FISH AND WILDLIFE

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

***Volume:**
250 GALLONS PER YEAR

Source Name: UNNAMED TRIBUTARY OF HAUCK COULEE

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		NESWNW	35	14N	14E	JUDITH BASIN

***Period of Diversion:** JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

***Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESWNW	35	14N	14E	JUDITH BASIN

Diversion to Reservoir: DIVERSION # 1

Dam Height: 13.00 FEET

Depth: 10.00 FEET

Surface Area: 1.66 ACRES

Capacity: 6.64 ACRE-FEET

Period of Use: JANUARY 1 TO DECEMBER 31

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			N2SWNW	35	14N	14E	JUDITH BASIN

Remarks:

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

154056-00

154057-00

154063-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S**

Water Right Number: 41S 154058-00 STATEMENT OF CLAIM
Version: 3 -- POST DECREE
Status: ACTIVE

Owners: JASON G LOOSE
PO BOX 305
HARLOWTON, MT 59036-0305

KATIE M REIN
PO BOX 305
HARLOWTON, MT 59036-0305

Priority Date: DECEMBER 31, 1935

Type of Historical Right: USE

Purpose (Use): FISH AND WILDLIFE

Flow Rate: 500.00 GPM

Volume: 1,000.00 AC-FT

Source Name: HAUCK COULEE

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			19	14N	15E	JUDITH BASIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: INSTREAM

2		NW	30	14N	15E	JUDITH BASIN
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: INSTREAM

Period of Use: JANUARY 1 TO DECEMBER 31

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			NW	30	14N	15E	JUDITH BASIN
2				19	14N	15E	JUDITH BASIN

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S**

Water Right Number: 41S 154059-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: JASON G LOOSE
PO BOX 305
HARLOWTON, MT 59036-0305

KATIE M REIN
PO BOX 305
HARLOWTON, MT 59036-0305

Priority Date: JUNE 30, 1952

Type of Historical Right: USE

Purpose (Use): FIRE PROTECTION

***Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

***Volume:** THE VOLUME OF THIS WATER RIGHT IS LIMITED TO THE MINIMUM AMOUNTS NECESSARY FOR FIRE PROTECTION PURPOSES.

Source Name: HAUCK COULEE

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		NWNENW	30	14N	15E	JUDITH BASIN

***Period of Diversion:** JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

PUMP USED AS AN ADDITIONAL MEANS OF DIVERSION.

***Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNENW	30	14N	15E	JUDITH BASIN

Diversion to Reservoir: DIVERSION # 1

Dam Height: 12.00 FEET

Depth: 9.00 FEET

Surface Area: 12.65 ACRES

Capacity: 45.54 ACRE-FEET

Period of Use: JANUARY 1 TO DECEMBER 31

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			NW	30	14N	15E	JUDITH BASIN
2			SW	19	14N	15E	JUDITH BASIN
3			S2	25	14N	14E	JUDITH BASIN

Remarks:

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

154059-00

154060-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S**

Water Right Number: 41S 154060-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: JASON G LOOSE
PO BOX 305
HARLOWTON, MT 59036-0305

KATIE M REIN
PO BOX 305
HARLOWTON, MT 59036-0305

Priority Date: JUNE 30, 1952

Type of Historical Right: USE

Purpose (Use): FISH AND WILDLIFE

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

***Volume:**
250.00 GALLONS PER YEAR.

***Source Name:** HAUCK COULEE

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		NWNENW	30	14N	15E	JUDITH BASIN

***Period of Diversion:** JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

***Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNENW	30	14N	15E	JUDITH BASIN

Diversion to Reservoir: DIVERSION # 1

Dam Height: 13.00 FEET

Depth: 10.00 FEET

Surface Area: 1.00 ACRES

Capacity: 4.00 ACRE-FEET

Period of Use: JANUARY 1 TO DECEMBER 31

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			N2N2NW	30	14N	15E	JUDITH BASIN

Remarks:

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

154059-00

154060-00

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S

Water Right Number: 41S 154062-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: JASON G LOOSE
PO BOX 305
HARLOWTON, MT 59036-0305

KATIE M REIN
PO BOX 305
HARLOWTON, MT 59036-0305

Priority Date: AUGUST 31, 1952

Type of Historical Right: USE

Purpose (Use): STOCK

***Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

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

Source Name: UNNAMED TRIBUTARY OF HAUCK COULEE

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		NESWNW	35	14N	14E	JUDITH BASIN

***Period of Diversion:** JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESWNW	35	14N	14E	JUDITH BASIN

Diversion to Reservoir: DIVERSION # 1

Period of Use: JANUARY 1 TO DECEMBER 31

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			E2SWNW	35	14N	14E	JUDITH BASIN

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S**

Water Right Number: 41S 154063-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: JASON G LOOSE
PO BOX 305
HARLOWTON, MT 59036-0305

KATIE M REIN
PO BOX 305
HARLOWTON, MT 59036-0305

Priority Date: JUNE 30, 1952

Type of Historical Right: USE

Purpose (Use): STOCK

***Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

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

Source Name: HAUCK COULEE

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		NWNENW	30	14N	15E	JUDITH BASIN

***Period of Diversion:** JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNENW	30	14N	15E	JUDITH BASIN

Diversion to Reservoir: DIVERSION # 1

Period of Use: JANUARY 1 TO DECEMBER 31

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			N2NW	30	14N	15E	JUDITH BASIN

Remarks:

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