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SEP 11 2020

DNRC WATER RESOURCES
HAVRE REGIONAL OFFICE

STATE OF MONTANA)
) ss.
COUNTY OF _____)

MOTION TO AMEND WATER RIGHT CLAIM

(Describe the proposed amendment, and the historical use of the water right as it relates to the proposed amendment. The following changes should be made to correct the abstract of this claim so it reflects this right as it existed prior to July 1, 1973. If the proposed amendment involves the place of use, acres irrigated, point of diversion, or source of the water right, attach a map showing the proposed amendment.)

Statement of Claim: 40G 28407-00

Claimant: Sage Creek Colony

The following elements should be amended to reflect the historic use of the stock claim.

Point of Diversion: SWSWNE Section 6, Township 36 N, Range 6 E

I/We declare under penalty of perjury and under the laws of the state of Montana that the foregoing is true and correct. (Please include signatures of all owners. Additional proceedings will be required if all signatures are not included.)

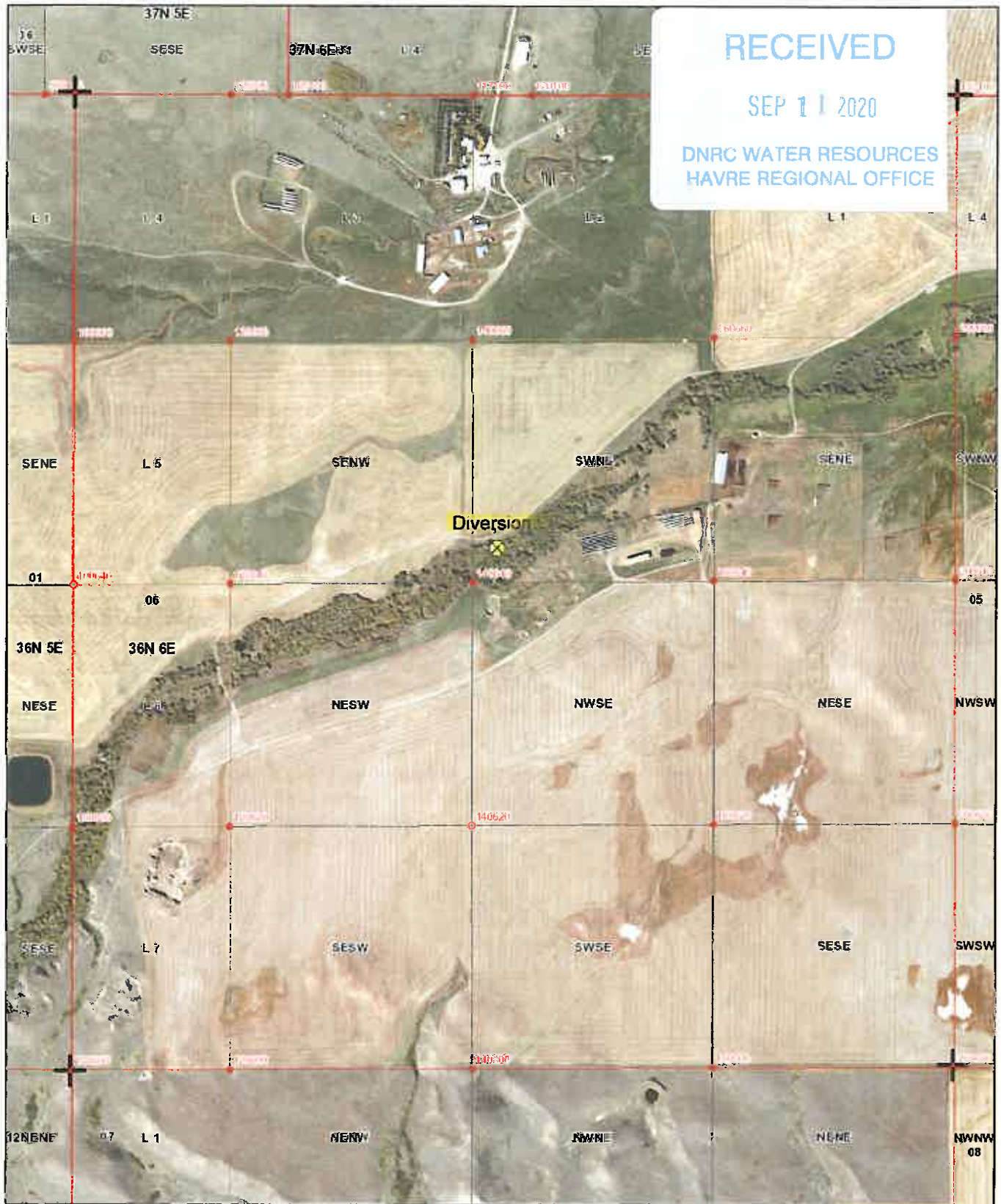
Sage Creek Colony By David A. Hoff Sec. Treas
Owner Signature

9-11-20
(Date)

Owner Signature

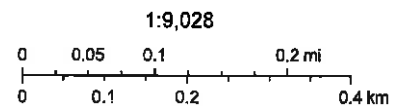
(Date)

40G 28407-00 Claimant Amendment Map



9/14/2020, 8:33:10 AM

- | | | | |
|---------------|-----------------------------|----------------------------|----------------------------|
| Points | PLSS Second Division | PLSS First Division | PLSS Special Survey |
| ⊗ Override 1 | □ Aliquot Part | □ Section | • PLSS Point |
| ⊕ Override 2 | □ Remainder Aliquot Part | □ Protracted Block | |
| ■ DNRC Basins | □ Government Lot | □ PLSS Township | |
| | □ Unnumbered Lot | □ PLSS Meandered Water | |



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FACS, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, U.S. Department of Agriculture Farm Services Agency Aerial

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STATE OF MONTANA)
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COUNTY OF _____)

MOTION TO AMEND WATER RIGHT CLAIM

(Describe the proposed amendment, and the historical use of the water right as it relates to the proposed amendment. The following changes should be made to correct the abstract of this claim so it reflects this right as it existed prior to July 1, 1973. If the proposed amendment involves the place of use, acres irrigated, point of diversion, or source of the water right, attach a map showing the proposed amendment.)

Statement of Claim: 40G 28417-00

Claimant: Sage Creek Colony

The following elements should be amended to reflect the historic use of the irrigation claim.

Point of Diversion: SWSW NE Section 6, Township 36 N, Range 6 E

I/We declare under penalty of perjury and under the laws of the state of Montana that the foregoing is true and correct. (Please include signatures of all owners. Additional proceedings will be required if all signatures are not included.)

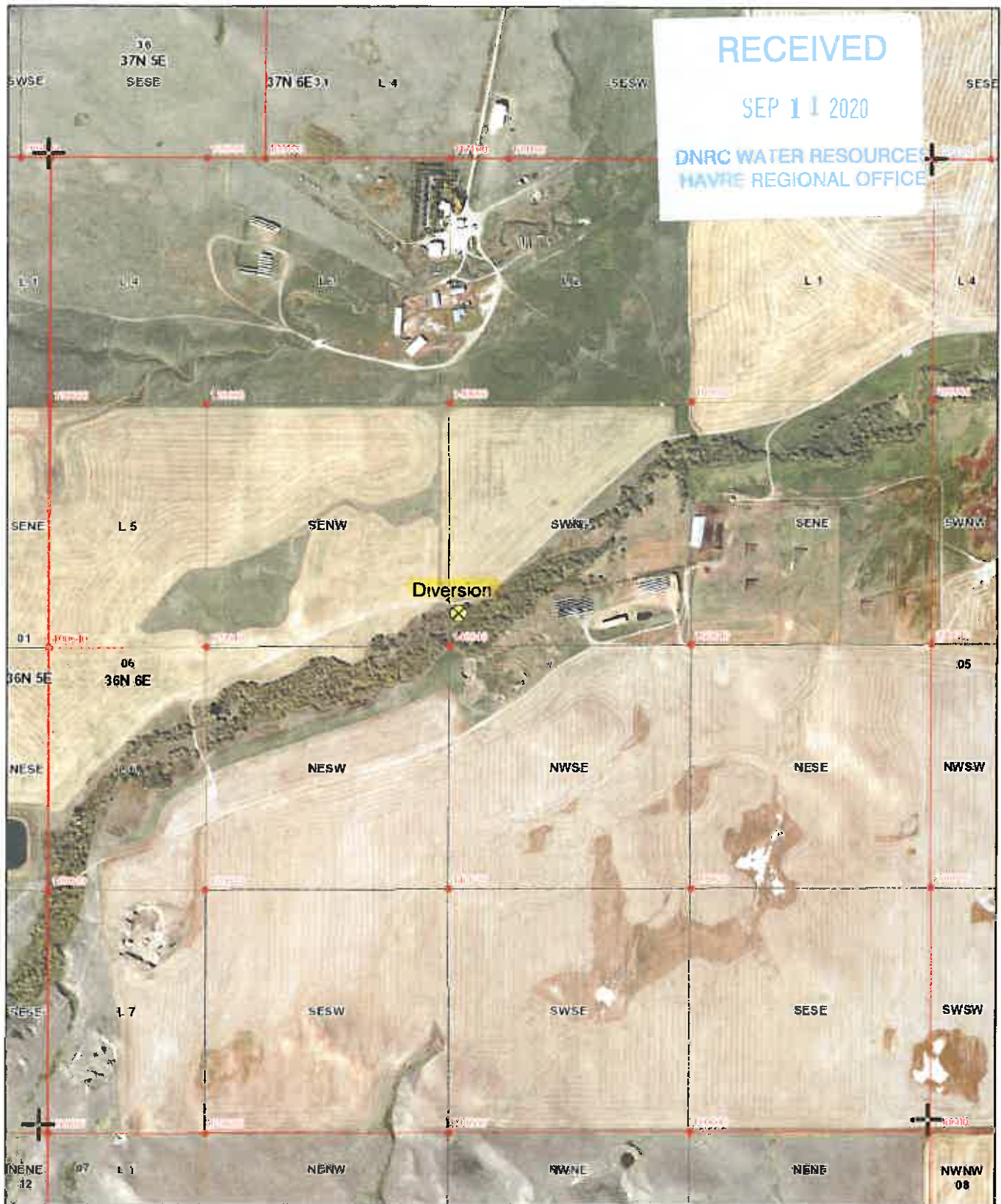
Sage Creek Colony By David A. Allen Sec. Trust
Owner Signature

9-11-20
(Date)

Owner Signature

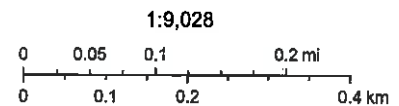
(Date)

40G 28417-00 Claimant Amendment Map



9/14/2020, 8:40:49 AM

- | | | | |
|---------------|-----------------------------|----------------------------|----------------------------|
| Points | PLSS Second Division | PLSS First Division | PLSS Special Survey |
| ⊕ Override 1 | □ Aliquot Part | □ Section | ⬢ PLSS Point |
| ⊗ Override 2 | □ Remainder Aliquot Part | □ Protracted Block | • PLSS Point |
| ▭ DNRC Basins | □ Government Lot | □ PLSS Township | 2015 Aerial Photos |
| | | ▨ PLSS Meandered Water | Red: Band_1 |
| | | | Green: Band_2 |
| | | | Blue: Band_3 |



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, U.S. Department of Agriculture Farm Services Agency Aerial

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DNRC WATER RESOURCES
HAVRE REGIONAL OFFICE

STATE OF MONTANA)
) ss.
COUNTY OF _____)

MOTION TO AMEND WATER RIGHT CLAIM

(Describe the proposed amendment, and the historical use of the water right as it relates to the proposed amendment. The following changes should be made to correct the abstract of this claim so it reflects this right as it existed prior to July 1, 1973. If the proposed amendment involves the place of use, acres irrigated, point of diversion, or source of the water right, attach a map showing the proposed amendment.)

Statement of Claim: 40G 28422-00
Claimant: Sage Creek Colony

The following elements should be amended to reflect the historic use of the irrigation claim.

50V Lot 4

Point of Diversion: SWNWNW Section 5, Township 36 N, Range 6 E

I/We declare under penalty of perjury and under the laws of the state of Montana that the foregoing is true and correct. (Please include signatures of all owners. Additional proceedings will be required if all signatures are not included.)

Sage Creek Colony By David A. Giff Sec. 3000 9-11-20
Owner Signature (Date)

Owner Signature

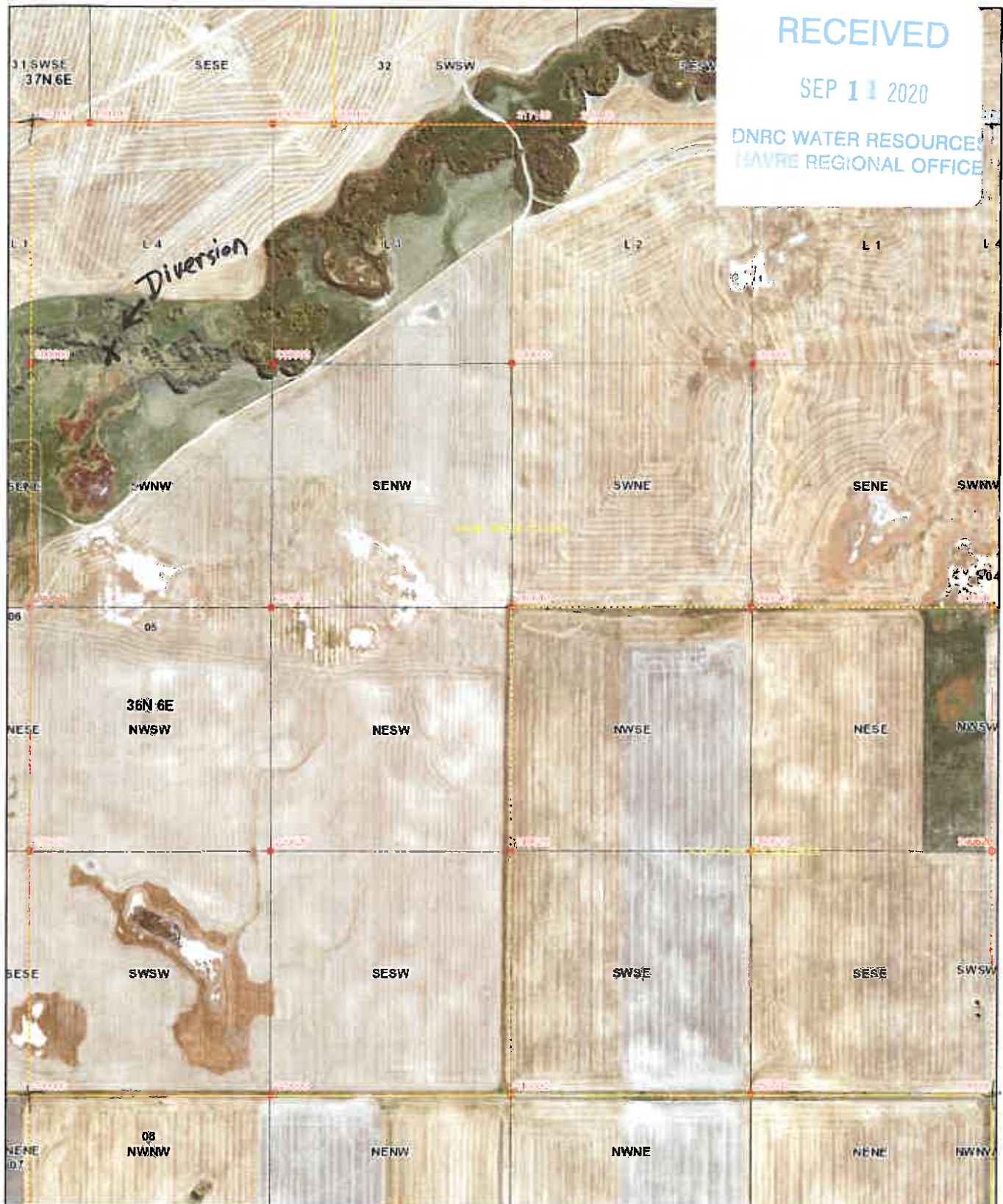
(Date)

40G 28422-00 Claimant Amendment Map

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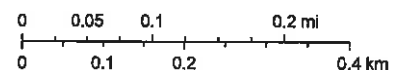
SEP 1 2020

DNRC WATER RESOURCES
SAVRE REGIONAL OFFICE



9/11/2020, 4:28:03 PM

1:9,028



U.S. Department of Agriculture Farm Services Agency Aerial Photography Field Office., Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), c) OpenStreetMap contributors, and the GIS User

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governments, The Montana Power Company, Montana Dakota Utilities, and Burlington Northern Santa Fe Railroad. Most data are being maintained by staff of the Montana Department of Revenue (DOR). | Montana State Library |

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STATE OF MONTANA)
) ss.
COUNTY OF _____)

DNRC WATER RESOURCES
HAVRE REGIONAL OFFICE

MOTION TO AMEND WATER RIGHT CLAIM

(Describe the proposed amendment, and the historical use of the water right as it relates to the proposed amendment. The following changes should be made to correct the abstract of this claim so it reflects this right as it existed prior to July 1, 1973. If the proposed amendment involves the place of use, acres irrigated, point of diversion, or source of the water right, attach a map showing the proposed amendment.)

Statement of Claim: 40G 141848-00

Claimant: Sage Creek Colony

The following elements should be amended to reflect the historic use of the stock claim.

Period of Diversion: 01/01 to 12/31
Period of Use 01/01/ to 12/31

I/We declare under penalty of perjury and under the laws of the state of Montana that the foregoing is true and correct. (Please include signatures of all owners. Additional proceedings will be required if all signatures are not included.)

Sage Creek Colony By David A. Allen Sec. Treas.
Owner Signature

9-11-20
(Date)

Owner Signature

(Date)

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DNRC WATER RESOURCES
HAVRE REGIONAL OFFICE

STATE OF MONTANA)
) ss.
COUNTY OF _____)

MOTION TO AMEND WATER RIGHT CLAIM

(Describe the proposed amendment, and the historical use of the water right as it relates to the proposed amendment. The following changes should be made to correct the abstract of this claim so it reflects this right as it existed prior to July 1, 1973. If the proposed amendment involves the place of use, acres irrigated, point of diversion, or source of the water right, attach a map showing the proposed amendment.)

Statement of Claim: 40G 211343-00

Claimant: Sage Creek Colony

The following elements should be amended to reflect the historic use of the irrigation claim.

Point of Diversion:

| ID | Acres | Govt Lot | Qtr Sec | Sec | Twp | Rge | County |
|----|-------|----------|---------|-----|-----|-----|---------|
| 1 | | | SWSWNE | 6 | 36N | 6E | Liberty |

Place of Use and Acres:

| ID | Acres | Govt Lot | Qtr Sec | Sec | Twp | Rge | County |
|----|-------|----------|---------|-----|-----|-----|---------|
| 1 | 1.70 | | SESENE | 31 | 37N | 6E | Liberty |
| 2 | 78.00 | | E2SE | 31 | 37N | 6E | Liberty |
| 3 | 68.60 | | W2SE | 31 | 37N | 6E | Liberty |
| 4 | 3.60 | | SENESW | 31 | 37N | 6E | Liberty |
| 5 | 43.00 | | S2NW | 32 | 37N | 6E | Liberty |
| 6 | 3.00 | | NESW | 32 | 37N | 6E | Liberty |
| 7 | 10.90 | | NWSW | 32 | 37N | 6E | Liberty |
| 8 | 22.00 | | SWSW | 32 | 37N | 6E | Liberty |

Total: 230.80 acres

I/We declare under penalty of perjury and under the laws of the state of Montana that the foregoing is true and correct. (Please include signatures of all owners. Additional proceedings will be required if all signatures are not included.)

Sage Creek Colony By David A. Hahn Sec. Treas.
Owner Signature

9-11-20
(Date)

Owner Signature

(Date)

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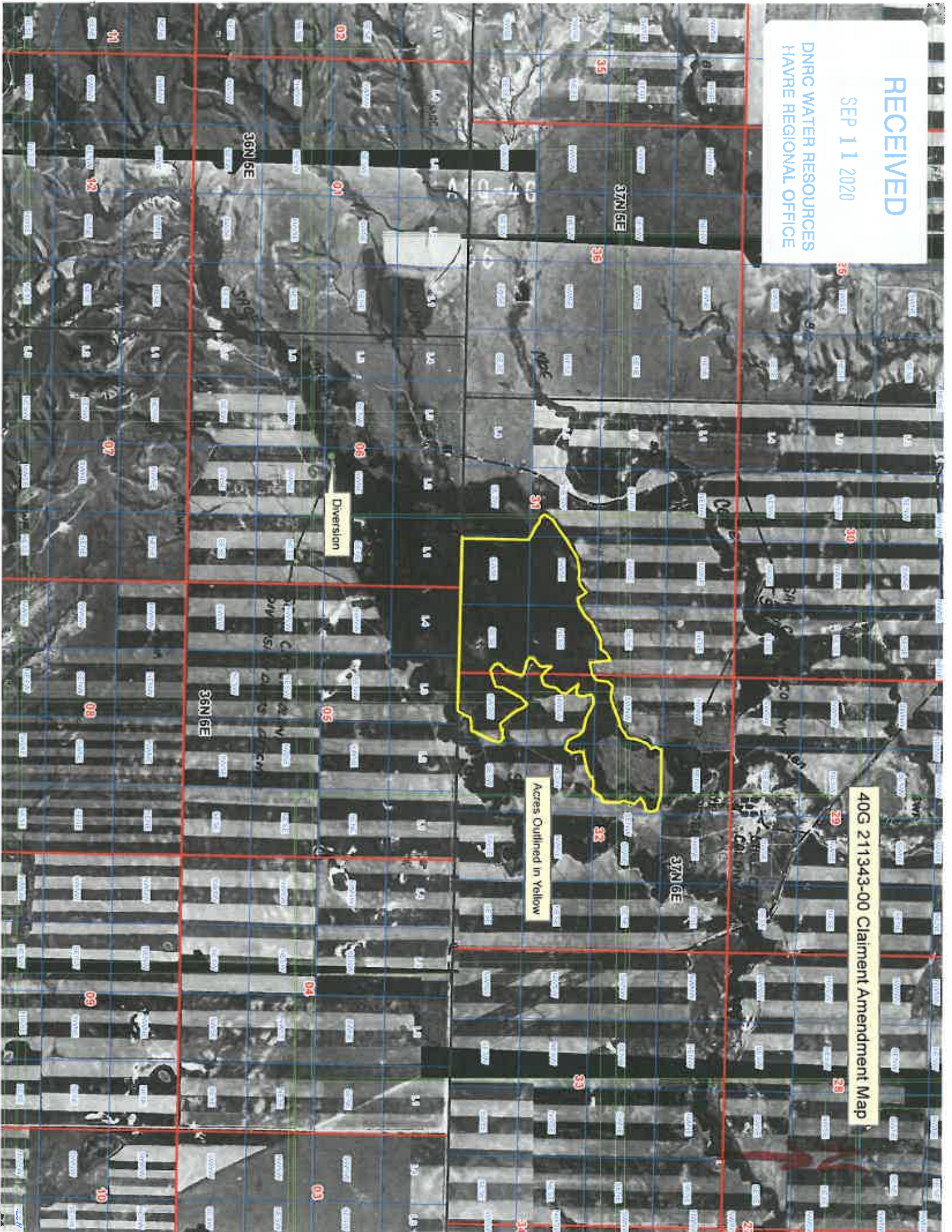
SEP 11 2020

DNRC WATER RESOURCES
HAYRE REGIONAL OFFICE

40G 211343-00 Claimant Amendment Map

Acres Outlined in Yellow

Diversion



OCT 08 2020

STATE OF MONTANA)
 DNRC WATER RESOURCES)
 HAVRE REGIONAL OFFICE) ss.
 COUNTY OF _____)

Case No.: **40G R26**
 Statement of Claim: **40G 211344-00**
 Claimant: **Sage Creek Colony**

MOTION TO AMEND WATER RIGHT CLAIM

(Describe the proposed amendment, and the historical use of the water right as it relates to the proposed amendment. The following changes should be made to correct the abstract of this claim so it reflects this right as it existed prior to July 1, 1973. If the proposed amendment involves the place of use, acres irrigated, point of diversion, or source of the water right, attach a map showing the proposed amendment.)

The following elements should be amended to reflect the historic use of this water right.

Purpose: Stock 350 cattle

Type of Historical Right: Use

Period of Diversion: January 1 to December 31

Diversion Means: Livestock Direct

Period of Use: January 1 to December 31

Point of Diversion and Place of Use:

| ID | Qtr Sec | Sec | Twp | Rge | County |
|----|---------|-----|-----|-----|---------|
| 1 | N2N2 | 22 | 37N | 5E | Liberty |
| 2 | S2S2NE | 23 | 37N | 5E | Liberty |
| 3 | S2NW | 23 | 37N | 5E | Liberty |
| 4 | N2NESE | 23 | 37N | 5E | Liberty |
| 5 | SWSWNW | 24 | 37N | 5E | Liberty |
| 6 | S2NESE | 24 | 37N | 5E | Liberty |
| 7 | S2SE | 24 | 37N | 5E | Liberty |
| 8 | N2SW | 24 | 37N | 5E | Liberty |

I/We declare under penalty of perjury and under the laws of the state of Montana that the foregoing is true and correct. (Please include signatures of all owners. Additional proceedings will be required if all signatures are not included.)

Sage Creek Colony By David A. Apple Sec. Treas. 10-2-20
 Owner Signature (Date)

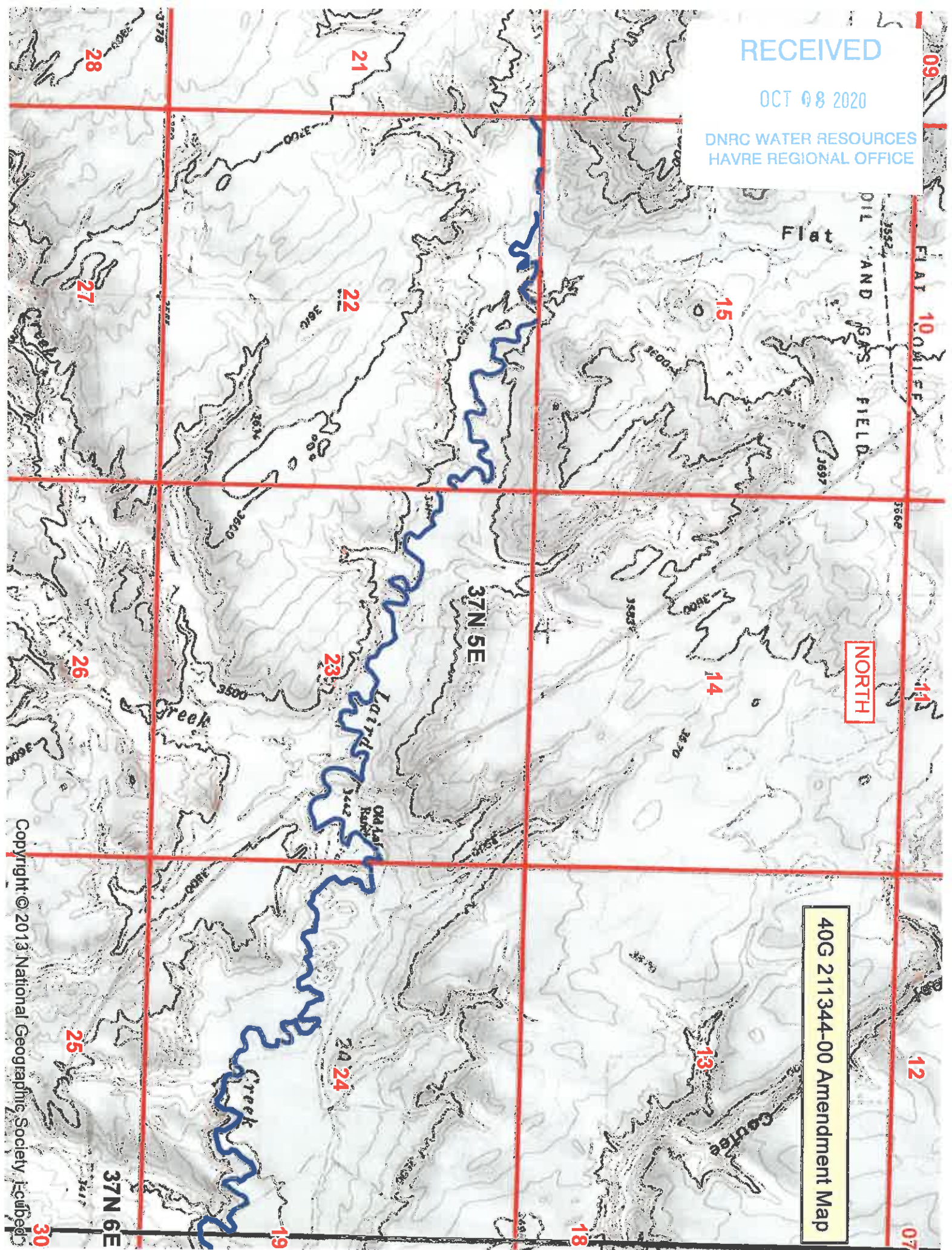
 Owner Signature

 (Date)

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DNRC WATER RESOURCES
HAVRE REGIONAL OFFICE



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STATE OF MONTANA)
) ss.
 COUNTY OF _____)

Case No.: **40G R26**
 Statement of Claim: **40G 211345-00**
 Claimant: **Sage Creek Colony**

MOTION TO AMEND WATER RIGHT CLAIM

(Describe the proposed amendment, and the historical use of the water right as it relates to the proposed amendment. The following changes should be made to correct the abstract of this claim so it reflects this right as it existed prior to July 1, 1973. If the proposed amendment involves the place of use, acres irrigated, point of diversion, or source of the water right, attach a map showing the proposed amendment.)

The following elements should be amended to reflect the historic use of this water right.

Purpose: Stock 350 cattle
 Period of Diversion: January 1 to December 31
 Diversion Means: Livestock Direct
 Period of Use: January 1 to December 31
 Point of Diversion and Place of Use:

| ID | Qtr Sec | Sec | Twp | Rge | County |
|----|---------|-----|-----|-----|---------|
| 1 | S2S2 | 19 | 37N | 6E | Liberty |
| 2 | S2N2 | 20 | 37N | 6E | Liberty |
| 3 | NENESE | 20 | 37N | 6E | Liberty |
| 4 | W2SW | 20 | 37N | 6E | Liberty |
| 5 | S2NE | 21 | 37N | 6E | Liberty |
| 6 | N2SE | 21 | 37N | 6E | Liberty |
| 7 | S2NESW | 21 | 37N | 6E | Liberty |
| 8 | N2S2 | 22 | 37N | 6E | Liberty |
| 9 | SWSE | 23 | 37N | 6E | Liberty |
| 10 | S2NWSW | 23 | 37N | 6E | Liberty |
| 11 | S2SW | 23 | 37N | 6E | Liberty |
| 12 | SWNE | 25 | 37N | 6E | Liberty |
| 13 | N2NW | 25 | 37N | 6E | Liberty |
| 14 | NESENW | 25 | 37N | 6E | Liberty |
| 15 | NESE | 25 | 37N | 6E | Liberty |
| 16 | NENWSE | 25 | 37N | 6E | Liberty |
| 17 | NENE | 26 | 37N | 6E | Liberty |

I/We declare under penalty of perjury and under the laws of the state of Montana that the foregoing is true and correct. (Please include signatures of all owners. Additional proceedings will be required if all signatures are not included.)

Sage Creek Colony By David A. Hefner Sec. Treas.

Owner Signature

10-2-20
 (Date)

Owner Signature

(Date)

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DNRC WATER RESOURCES
IAVRE REGIONAL OFFICE

08

09

10

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NORTH

40G 211345-00 Amendment Map

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24

37N 5E

37N
7E

30

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25

37N 6E

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06

05

04

36N 6E

03

02

01

36N 7E

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DNRC WATER RESOURCES
HAVRE REGIONAL OFFICE

STATE OF MONTANA)
) ss.
COUNTY OF _____)

MOTION TO AMEND WATER RIGHT CLAIM

(Describe the proposed amendment, and the historical use of the water right as it relates to the proposed amendment. The following changes should be made to correct the abstract of this claim so it reflects this right as it existed prior to July 1, 1973. If the proposed amendment involves the place of use, acres irrigated, point of diversion, or source of the water right, attach a map showing the proposed amendment.)

Statement of Claim: 40G 211465-00

Claimant: Sage Creek Colony

The following elements should be amended to reflect the historic use of the irrigation claim.

Maximum Volume: 72 Acre-Feet

Reservoir Record:

Depth: 10 Feet

Surface Area: 9 Acres

Current Capacity: 36 Acre-Feet

I/We declare under penalty of perjury and under the laws of the state of Montana that the foregoing is true and correct. (Please include signatures of all owners. Additional proceedings will be required if all signatures are not included.)

Sage Creek Colony By David A. McFarlane Sec. Treas. 9-11-20
Owner Signature (Date)

Owner Signature

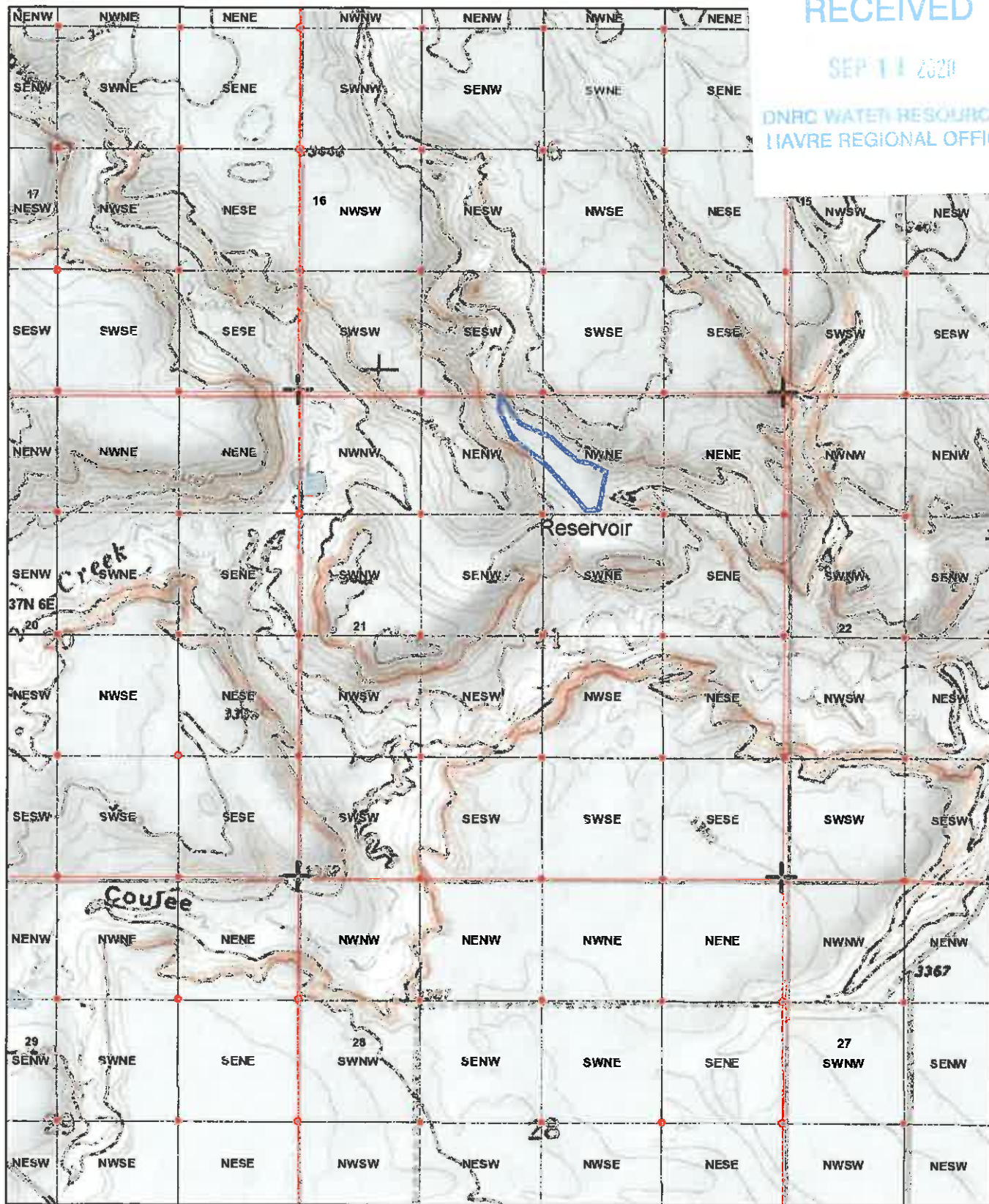
(Date)

40G 211465-00 Claimant Point of Diversion Map

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DNRC WATER RESOURCES
LAVRE REGIONAL OFFICE



9/10/2020, 2:15:57 PM

- Override 1
- Override 1
- DNRC Basins
- PLSS Second Division
- Aliquot Part
- Remainder Aliquot Part
- Government Lot
- Unnumbered Lot
- PLSS First Division
- Section
- Protracted Block
- PLSS Township
- PLSS Meandered Water
- PLSS Special Survey
- PLSS Point
- 2009 Aerial Photos
- Red: Band_1
- Green: Band_2
- Blue: Band_3

1:18,056

0 0.13 0.25 0.5 mi
0 0.2 0.4 0.8 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Copyright © 2013 National Geographic Society, Inc.

Web AppBuilder for ArcGIS
governments, The Montana Power Company, Montana/Dakota Utilities, and Burlington Northern Santa Fe Railroad. Most data are being maintained by staff of the Montana Department of Revenue (DOR). | Montana State Library |

PROPOSED REVIEW ABSTRACT OF WATER RIGHT CLAIM

IMPORTANT NOTICE

Post Decree Corrections
made 10/14/2020 DNRC tp

AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED IN ACCORDANCE WITH THE SUPREME COURT RULES GOVERNING THE EXAMINATION OF THIS CLAIM.

Water Right Number: 40G 28407-00 STATEMENT OF CLAIM

Version: 2 -- REEXAMINED

Status: ACTIVE

Owners: SAGE CREEK COLONY
470 LAIRD RD
CHESTER, MT 59522

Priority Date: SEPTEMBER 17, 1971

Enforceable Priority Date: SEPTEMBER 17, 1971

Type of Historical Right: FILED

Purpose (Use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. 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: - SAGE CREEK

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 | SWSWNE | SESENE | 6 | 36N | 6E | LIBERTY |

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: INFILTRATION GALLERY

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

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 | | | SWSE | 29 | 37N | 6E | LIBERTY |
| 2 | | | N2NENW | 32 | 37N | 6E | LIBERTY |
| 3 | | | N2NWNE | 32 | 37N | 6E | LIBERTY |
| 4 | | | SESW | 29 | 37N | 6E | LIBERTY |

Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

PROPOSED REVIEW ABSTRACT OF WATER RIGHT CLAIM

IMPORTANT NOTICE

Post Decree Corrections
made 10/14/2020 DNRC tp

AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED IN ACCORDANCE WITH THE SUPREME COURT RULES GOVERNING THE EXAMINATION OF THIS CLAIM.

Water Right Number: 40G 28417-00 STATEMENT OF CLAIM

Version: 2 -- REEXAMINED

Status: ACTIVE

Owners: SAGE CREEK COLONY
470 LAIRD RD
CHESTER, MT 59522

Priority Date: NOVEMBER 13, 1971

Enforceable Priority Date: NOVEMBER 13, 1971

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER

Flow Rate: 90.00 GPM

Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 3 - MODERATE

Maximum Acres: 11.00

Source Name: - SAGE CREEK

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 | SWSWNE | SESENW | 6 | 36N | 6E | LIBERTY |

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

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

Period of Use: APRIL 1 to SEPTEMBER 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 | 3.00 | | S2SESW | 29 | 37N | 6E | LIBERTY |
| 2 | 1.00 | | S2SWSE | 29 | 37N | 6E | LIBERTY |
| 3 | 7.00 | | N2NENW | 32 | 37N | 6E | LIBERTY |
| Total: | 11.00 | | | | | | |

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

28416-00 28417-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

Add Associated Remark
using the Related Rights
Tab as follows:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE ASSOCIATED. THEY SHARE THE SAME POINT OF DIVERSION. 28417-00, 211343-00

PROPOSED REVIEW ABSTRACT OF WATER RIGHT CLAIM

Post Decree Corrections
made 10/14/2020 DNRC tp

IMPORTANT NOTICE

AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED IN ACCORDANCE WITH THE SUPREME COURT RULES GOVERNING THE EXAMINATION OF THIS CLAIM.

Water Right Number: 40G 28422-00 STATEMENT OF CLAIM

Version: 3 -- REEXAMINED

Status: ACTIVE

Owners: SAGE CREEK COLONY
470 LAIRD RD
CHESTER, MT 59522

Priority Date: OCTOBER 13, 1891

Enforceable Priority Date: OCTOBER 13, 1891

Type of Historical Right: FILED

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 1.18 CFS

Volume: 397.50 AC-FT

Climatic Area: 3 - MODERATE

Maximum Acres: 80.00

Source Name: SAGE CREEK

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 SWNWNW | SESENW | 5 | 6 | 36N | 6E LIBERTY |

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: PUMP/FLOOD AND DIKE

~~THE POINT OF DIVERSION APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE SENWNW SEC 5 TWP 36N RGE 6E LIBERTY COUNTY.~~

***Reservoir:** OFFSTREAM

| <u>Govt Lot</u> | <u>Qtr Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------------|----------------|------------|------------|------------|---------------|
| SW | | 29 | 37N | 6E | LIBERTY |

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 to SEPTEMBER 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 | 80.00 | | N2NW | 32 | 37N | 6E | LIBERTY |

Total: 80.00

Remarks:

THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF

DIVERSION OR PERIOD OF USE. THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.

PROPOSED REVIEW ABSTRACT OF WATER RIGHT CLAIM

Post Decree Corrections
made 10/14/2020 DNRC tp

IMPORTANT NOTICE

AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED IN ACCORDANCE WITH THE SUPREME COURT RULES GOVERNING THE EXAMINATION OF THIS CLAIM.

Water Right Number: 40G 141848-00 STATEMENT OF CLAIM

Version: 3 – REEXAMINED

Status: ACTIVE

Late Claim: A

Owners: SAGE CREEK COLONY
470 LAIRD RD
CHESTER, MT 59522

Priority Date: NOVEMBER 4, 1951

Enforceable Priority Date: NOVEMBER 4, 1951

CLAIM FILED LATE 05/01/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL FEDERAL AND INDIAN RESERVED WATER RIGHTS.

Type of Historical Right: USE

Purpose (Use): STOCK

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

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 LAIRD CREEK

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 | | NWSWNW | 22 | 37N | 6E | LIBERTY |

Period of Diversion: ~~MARCH 1 TO JULY 1~~ **JANUARY 1 TO DECEMBER 31**

Diversion Means: DAM

RESERVOIR RECORD WAS MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

Reservoir: ONSTREAM

| <u>Govt Lot</u> | <u>QtrSec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> | |
|-----------------|---------------|------------|------------|------------|---------------|---------|
| | | NWSWNW | 22 | 37N | 6E | LIBERTY |

Diversion to Reservoir: DIVERSION # 1

Dam Height: 11.00 FEET

Depth: 8.00 FEET

Surface Area: 0.18 ACRES

Capacity: 0.58 ACRE-FEET

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

Period of Use: MARCH 1 to JULY 1 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 | | | W2NW | 22 | 37N | 6E | LIBERTY |

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.~~

~~141848-00 211465-00~~

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/08/1985: SOURCE, POINT OF DIVERSION, MEANS OF DIVERSION, FLOW RATE, VOLUME AND PRIORITY DATE.

THE IMPLIED CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 40G 211464-00, 40G 211465-00, 40G 211466-00, 40G 211467-00, 40G 211468-00, 40G 211469-00, 40G 211470-00, 40G 211472-00, 40G 211473-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/22/88.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/30/88.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/19/87.

~~CLAIM WAS NO RIGHTED 12/20/1983. THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/08/1985: SOURCE, POINT OF DIVERSION, MEANS OF DIVERSION, FLOW RATE, VOLUME, AND PRIORITY DATE.~~

THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.

PROPOSED REVIEW ABSTRACT OF WATER RIGHT CLAIM

IMPORTANT NOTICE

Post Decree Corrections
made 10/14/2020 DNRC tp

AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED IN ACCORDANCE WITH THE SUPREME COURT RULES GOVERNING THE EXAMINATION OF THIS CLAIM.

Water Right Number: 40G 211343-00 STATEMENT OF CLAIM

Version: 3 -- REEXAMINED

Status: ACTIVE

Owners: SAGE CREEK COLONY
470 LAIRD RD
CHESTER, MT 59522

Priority Date: OCTOBER 1, 1948

Enforceable Priority Date: OCTOBER 1, 1948

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 3.90 CFS

Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 3 - MODERATE

THE WATER COURT HAS DETERMINED THAT A VOLUME QUANTIFICATION IS REQUIRED TO ADEQUATELY ADMINISTER THIS RIGHT.

Maximum Acres: 230.80

Source Name: SAGE CREEK

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 | SWSWNE | SESE | 6 | 36N | 6E | LIBERTY |

Period of Diversion: APRIL 1 TO OCTOBER 15

Diversion Means: HEADGATE

A PIPELINE TRANSPORTS THE WATER TO TWO RESERVOIRS LOCATED IN THE NW OF SEC 32 AND SW OF SEC 29 TWP 37N RGE 06E. THE WATER IS THEN PUMPED OUT OF THOSE RESERVOIRS AND APPLIED BY A SPRINKLER SYSTEM.

Period of Use: APRIL 1 to OCTOBER 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 | 151.90 | | | 31 | 37N | 6E | LIBERTY |
| 2 | 78.90 | | | 32 | 37N | 6E | LIBERTY |
| Total: | 230.80 | | | | | | |

See Page 2 for refined legal descriptions and acres.

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME POINT OF DIVERSION.

211343-00

ADDITIONAL ELEMENTS OF THIS RIGHT WHICH WERE NOT DETAILED IN THE 10/13/87 MASTERS REPORT WERE DERIVED FROM THE FINDINGS OF FACT AND CONCLUSIONS OF LAW, CAUSE 14840 BURKHARTSMEYER V SAGE CREEK COLONY, ENTERED 03/22/82, AND FROM THE OCTOBER 18, 1989 SAGE CREEK COLONY'S AMENDED DESIGNATION OF POINTS OF DIVERSION IN ACCORDANCE WITH THE ORDER DATED OCTOBER 13, 1987.

PLACE OF USE

[illegible]

PROPOSED REVIEW ABSTRACT OF WATER RIGHT CLAIM

Post Decree Corrections
made 10/13/2020 DNRC tp

IMPORTANT NOTICE

AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED IN ACCORDANCE WITH THE SUPREME COURT RULES GOVERNING THE EXAMINATION OF THIS CLAIM.

Water Right Number: 40G 211344-00 STATEMENT OF CLAIM

Version: 2 – REEXAMINED

Status: ACTIVE

Owners: SAGE CREEK COLONY
470 LAIRD RD
CHESTER, MT 59522

Priority Date: NOVEMBER 12, 1904

Enforceable Priority Date: NOVEMBER 12, 1904

Type of Historical Right: FILED **USE**

Purpose (Use): IRRIGATION **STOCK**

Irrigation Type:

Flow Rate: 22.44 GPM

FF009 A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE. [Man. Ref. IX.B.] (Standards No. 7)

Volume: ~~THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.~~

Climatic Area: 3 MODERATE

VF015 THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING 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. [Man. Ref. IX.C., Rule 24(c) W.R.C.E.R.]

Maximum Acres: 3.00

Source Name: LAIRD CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

| ID | Govt Lot | Qtr Sec | Sec | Twp | Rge | County |
|----|----------|---------|-----|-----|-----|---------|
| 4 | | SESENE | 23 | 37N | 5E | LIBERTY |

See Page 2 for refined
legal land descriptions.

Period of Diversion: APRIL 15 TO OCTOBER 15 **JANUARY 1 TO DECEMBER 31**

Diversion Means: UNKNOWN **LIVESTOCK DIRECT FROM SOURCE**

~~POINT OF DIVERSION WAS MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.~~

~~THE CLAIMED MEANS OF DIVERSION CANNOT BE IDENTIFIED FROM AVAILABLE DATA.~~

Period of Use: APRIL 15 to OCTOBER 15 **JANUARY 1 TO DECEMBER 31**

Place of Use:

| ID | Acres | Govt Lot | Qtr Sec | Sec | Twp | Rge | County |
|----|-------|----------|---------|-----|-----|-----|---------|
| 4 | 3.00 | | SWS2NW | 23 | 37N | 5E | LIBERTY |

See Page 2 for refined
legal land descriptions.

Total: 3.00

Remarks:

~~STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.~~

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 40G PRELIMINARY DECREE ISSUED 12/20/1983.

~~THE TYPE OF IRRIGATION SYSTEM AND MEANS OF DIVERSION WERE NOT DETERMINED IN THE 10/13/1987 MASTERS REPORT OR IN THE 03/22/1982 FINDINGS AND CONCLUSIONS CAUSE 14840, BURKHARTSMEYER V SAGE CREEK COLONY.~~

~~THE IRRIGATION TYPE IS MISSING.~~

POINT OF DIVERSION

| ID | GOVT LOT | QTR SEC | SEC | TWP | RGE | COUNTY |
|----|----------|---------|-----|-----|-----|---------|
| 1 | | N2N2 | 22 | 37N | 5E | Liberty |
| 2 | | S2S2NE | 23 | 37N | 5E | Liberty |
| 3 | | S2NW | 23 | 37N | 5E | Liberty |
| 4 | | N2NESE | 23 | 37N | 5E | Liberty |
| 5 | | SWSWNW | 24 | 37N | 5E | Liberty |
| 6 | | S2NESE | 24 | 37N | 5E | Liberty |
| 7 | | S2SE | 24 | 37N | 5E | Liberty |
| 8 | | N2SW | 24 | 37N | 5E | Liberty |

PLACE OF USE

| ID | ACRES | GOVT LOT | QTR SEC | SEC | TWP | RGE | COUNTY |
|----|-------|----------|---------|-----|-----|-----|---------|
| 1 | | | N2N2 | 22 | 37N | 5E | Liberty |
| 2 | | | S2S2NE | 23 | 37N | 5E | Liberty |
| 3 | | | S2NW | 23 | 37N | 5E | Liberty |
| 4 | | | N2NESE | 23 | 37N | 5E | Liberty |
| 5 | | | SWSWNW | 24 | 37N | 5E | Liberty |
| 6 | | | S2NESE | 24 | 37N | 5E | Liberty |
| 7 | | | S2SE | 24 | 37N | 5E | Liberty |
| 8 | | | N2SW | 24 | 37N | 5E | Liberty |

PROPOSED REVIEW ABSTRACT OF WATER RIGHT CLAIM

Post Decree Corrections
made 10/14/2020 DNRC tp

IMPORTANT NOTICE

AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED IN ACCORDANCE WITH THE SUPREME COURT RULES GOVERNING THE EXAMINATION OF THIS CLAIM.

Water Right Number: 40G 211345-00 STATEMENT OF CLAIM

Version: 2 – REEXAMINED

Status: ACTIVE

Owners: SAGE CREEK COLONY
470 LAIRD RD
CHESTER, MT 59522

Priority Date: OCTOBER 1, 1948

Enforceable Priority Date: OCTOBER 1, 1948

Type of Historical Right: USE

Purpose (Use): IRRIGATION **STOCK**

Irrigation Type:

Flow Rate: 121.20 GPM

Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 3 – MODERATE

Maximum Acres: 16.00

Source Name: LAIRD CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

| ID | Govt Lot | Qtr Sec | Sec | Twp | Rge | County |
|----|----------|---------|-----|-----|-----|---------|
| 1 | | | 23 | 37N | 5E | LIBERTY |

See Page 2 for refined
legal land descriptions.

Period of Diversion: APRIL 15 TO OCTOBER 15 **JANUARY 1 TO DECEMBER 31**

Diversion Means: UNKNOWN **LIVESTOCK DIRECT FROM SOURCE**

~~THE CLAIMED MEANS OF DIVERSION CANNOT BE IDENTIFIED FROM AVAILABLE DATA.~~

~~THE POINT OF DIVERSION LEGAL LAND DESCRIPTION COULD NOT BE REFINED FROM INFORMATION IN THE CLAIM FILE.~~

Period of Use: APRIL 15 to OCTOBER 15 **JANUARY 1 TO DECEMBER 31**

Place of Use:

| ID | Acres | Govt Lot | Qtr Sec | Sec | Twp | Rge | County |
|----|-------|----------|---------|-----|-----|-----|---------|
| 1 | | | E2 | 23 | 37N | 5E | LIBERTY |
| 2 | | | N2NE | 26 | 37N | 5E | LIBERTY |

See Page 2 for refined
legal land descriptions.

Remarks:

~~STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.~~

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 40G PRELIMINARY DECREE ISSUED 12/20/1983.

~~THE TYPE OF IRRIGATION SYSTEM, MEANS OF DIVERSION AND PLACE OF USE/ACREAGE APPORTIONMENT~~

~~WERE NOT DETERMINED IN THE 10/13/1987 MASTERS REPORT OR IN THE 03/22/1982 FINDINGS AND CONCLUSIONS. CAUSE 14840. BURKHARTSMeyer V SAGE CREEK COLONY.~~

~~THE IRRIGATION TYPE IS MISSING.~~

POINT OF DIVERSION

| ID | GOVT LOT | QTR SEC | SEC | TWP | RGE | COUNTY |
|----|----------|---------|-----|-----|-----|---------|
| 1 | | S2S2 | 19 | 37N | 6E | Liberty |
| 2 | | S2N2 | 20 | 37N | 6E | Liberty |
| 3 | | NENESE | 20 | 37N | 6E | Liberty |
| 4 | | W2SW | 20 | 37N | 6E | Liberty |
| 5 | | S2NE | 21 | 37N | 6E | Liberty |
| 6 | | N2SE | 21 | 37N | 6E | Liberty |
| 7 | | S2NESW | 21 | 37N | 6E | Liberty |
| 8 | | N2S2 | 22 | 37N | 6E | Liberty |
| 9 | | SWSE | 23 | 37N | 6E | Liberty |
| 10 | | S2NWSW | 23 | 37N | 6E | Liberty |
| 11 | | S2SW | 23 | 37N | 6E | Liberty |
| 12 | | SWNE | 25 | 37N | 6E | Liberty |
| 13 | | N2NW | 25 | 37N | 6E | Liberty |
| 14 | | NESENW | 25 | 37N | 6E | Liberty |
| 15 | | NESE | 25 | 37N | 6E | Liberty |
| 16 | | NENWSE | 25 | 37N | 6E | Liberty |
| 17 | | NENE | 26 | 37N | 6E | Liberty |

PLACE OF USE

| ID | ACRES | GOVT LOT | QTR SEC | SEC | TWP | RGE | COUNTY |
|----|-------|----------|---------|-----|-----|-----|---------|
| 1 | | | S2S2 | 19 | 37N | 6E | Liberty |
| 2 | | | S2N2 | 20 | 37N | 6E | Liberty |
| 3 | | | NENESE | 20 | 37N | 6E | Liberty |
| 4 | | | W2SW | 20 | 37N | 6E | Liberty |
| 5 | | | S2NE | 21 | 37N | 6E | Liberty |
| 6 | | | N2SE | 21 | 37N | 6E | Liberty |
| 7 | | | S2NESW | 21 | 37N | 6E | Liberty |
| 8 | | | N2S2 | 22 | 37N | 6E | Liberty |
| 9 | | | SWSE | 23 | 37N | 6E | Liberty |
| 10 | | | S2NWSW | 23 | 37N | 6E | Liberty |
| 11 | | | S2SW | 23 | 37N | 6E | Liberty |
| 12 | | | SWNE | 25 | 37N | 6E | Liberty |
| 13 | | | N2NW | 25 | 37N | 6E | Liberty |
| 14 | | | NESENW | 25 | 37N | 6E | Liberty |
| 15 | | | NESE | 25 | 37N | 6E | Liberty |
| 16 | | | NENWSE | 25 | 37N | 6E | Liberty |
| 17 | | | NENE | 26 | 37N | 6E | Liberty |

PROPOSED REVIEW ABSTRACT OF WATER RIGHT CLAIM

IMPORTANT NOTICE

Post Decree Corrections
made 10/14/2020 DNRC tp

AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED IN ACCORDANCE WITH THE SUPREME COURT RULES GOVERNING THE EXAMINATION OF THIS CLAIM.

Water Right Number: 40G 211465-00 STATEMENT OF CLAIM

Version: 3 -- REEXAMINED

Status: ACTIVE

Late Claim: A

Owners: SAGE CREEK COLONY
470 LAIRD RD
CHESTER, MT 59522

Priority Date: NOVEMBER 4, 1951

Enforceable Priority Date: NOVEMBER 4, 1951

CLAIM FILED LATE 05/01/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL FEDERAL AND INDIAN RESERVED WATER RIGHTS.

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

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

Volume: ~~110.00 AC-FT~~ **72 AC-FT**

Climatic Area: 3 - MODERATE

~~THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE.
THE CLAIMED VOLUME EQUALS 4.77 TIMES THE CAPACITY OF THE RESERVOIR.~~

Maximum Acres: 31.00

Source Name: UNNAMED TRIBUTARY OF LAIRD CREEK

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 | | SWNWNE | 21 | 37N | 6E | LIBERTY |

Period of Diversion: MAY 15 TO JULY 31

Diversion Means: DAM

Reservoir: ONSTREAM

| <u>Govt Lot</u> | <u>QtrSec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------------|---------------|------------|------------|------------|---------------|
| | SWNWNE | 21 | 37N | 6E | LIBERTY |

Diversion to Reservoir: DIVERSION # 1

Period of Use: MAY 15 to JULY 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 | 18.00 | | N2SE | 22 | 37N | 6E | LIBERTY |

Reservoir Information

Depth: 10 Feet
Surface Area: 9 Acres
Current Capacity: 36 Acre-feet

| | | | | | | |
|---------------|-------|----|----|-----|----|---------|
| 2 | 13.00 | SW | 23 | 37N | 6E | LIBERTY |
| Total: | 31.00 | | | | | |

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.

~~141848-00~~ 211465-00 211464-00

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 40G 141848-00.

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 40G PRELIMINARY DECREE ISSUED 12/20/1983.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/22/88.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/30/88.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/19/87.

THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.