

E047 Deep Creek Enforcement Area

COMMISSIONER REMARK INDEX

| <i>Water Right #</i> | <i>Remark</i> |
|----------------------|---|
| 411 831 | THE BROADWATER-MISSOURI WATER USERS ASSOCIATION EAST SIDE CANAL IS USED AS A CARRIER TO CONVEY WATER DIVERTED FROM DEEP CREEK TO THE PLACE OF USE. |
| 411 831 | THIS WATER RIGHT IS SUPPLEMENTAL TO WATER DELIVERED UNDER CONTRACT TO THIS CLAIMANT BY THE BROADWATER MISSOURI CANAL. |
| 411 4521 | WATER DECREED FROM DEEP CREEK, CASE NO. 465, MEAGHER COUNTY, IS EXCHANGED FOR WATER DIVERTED FROM THE BROADWATER MISSOURI WATER USERS ASSOCIATION EAST SIDE CANAL. |
| 411 5038 | THIS RIGHT IS SUBJECT TO THE AUTHORITY OF COURT APPOINTED WATER COMMISSIONERS, IF AND WHEN APPOINTED, TO ADMEASURE AND DISTRIBUTE TO THE PARTIES USING WATER IN THE SOURCE OF SUPPLY, THE WATER TO WHICH THEY ARE ENTITLED. THE APPROPRIATOR SHALL PAY HIS PROPORTIONATE SHARE OF THE FEES, COMPENSATION AND EXPENSES, AS FIXED BY THE DISTRICT COURT, INCURRED IN THE DISTRIBUTION OF THE WATERS. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 411. |
| 411 5038 | ON A FORM PROVIDED BY THE DEPARTMENT, THE APPLICANT SHALL KEEP A WRITTEN RECORD OF THE FLOW RATE AND THE VOLUME OF ALL WATER DIVERTED INCLUDING THE PERIOD OF TIME OF DIVERSION AND SHALL SUBMIT THE RECORDS TO THE DEPARTMENT BY NOVEMBER 30 OF EACH YEAR AND UPON THE DEPARTMENTS REQUEST AT OTHER TIMES DURING THE YEAR. FURTHER, FOR A PERIOD OF THREE (3) YEARS AFTER THE DATE OF DEPARTMENT APPROVAL OF THE CHANGE APPLICATION, THE APPLICANT SHALL MAKE ALL WRITTEN RECORDS OF WATER MEASUREMENT AVAILABLE TO OBJECTOR FOR REVIEW AND INSPECTION (AT NO COST TO THE APPLICANT) UPON OBJECTORS REASONABLE REQUEST. APPLICANT SHALL HAVE NO OBLIGATION TO KEEP RECORDS OF WATER MEASUREMENT LONGER THAN A THREE (3) YEAR PERIOD. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 411. |
| 411 5038 | THE APPLICANT SHALL INSTALL A DEPARTMENT APPROVED WATER USE MEASURING DEVICE AT EACH POINT OF DIVERSION TO RECORD MONTHLY FLOW RATES AND VOLUMES OF ALL WATER DIVERTED. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 411. |
| 411 5038 | THERE IS A PRIVATE AGREEMENT BETWEEN INDIVIDUALS WHICH HAS BEEN PLACED IN THE FILE BUT IS NOT NECESSARILY RECOGNIZED BY THIS DEPARTMENT. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 411. |

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| <i>Water Right #</i> | <i>Remark</i> |
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| 411 5039 | THIS RIGHT IS SUBJECT TO THE AUTHORITY OF COURT APPOINTED WATER COMMISSIONERS, IF AND WHEN APPOINTED, TO ADMEASURE AND DISTRIBUTE TO THE PARTIES USING WATER IN THE SOURCE OF SUPPLY, THE WATER TO WHICH THEY ARE ENTITLED. THE APPROPRIATOR SHALL PAY HIS PROPORTIONATE SHARE OF THE FEES, COMPENSATION AND EXPENSES, AS FIXED BY THE DISTRICT COURT, INCURRED IN THE DISTRIBUTION OF THE WATERS. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 41I. |
| 411 5039 | ON A FORM PROVIDED BY THE DEPARTMENT, THE APPLICANT SHALL KEEP A WRITTEN RECORD OF THE FLOW RATE AND THE VOLUME OF ALL WATER DIVERTED INCLUDING THE PERIOD OF TIME OF DIVERSION AND SHALL SUBMIT THE RECORDS TO THE DEPARTMENT BY NOVEMBER 30 OF EACH YEAR AND UPON THE DEPARTMENTS REQUEST AT OTHER TIMES DURING THE YEAR. FURTHER, FOR A PERIOD OF THREE (3) YEARS AFTER THE DATE OF DEPARTMENT APPROVAL OF THE CHANGE APPLICATION, THE APPLICANT SHALL MAKE ALL WRITTEN RECORDS OF WATER MEASUREMENT AVAILABLE TO OBJECTOR FOR REVIEW AND INSPECTION (AT NO COST TO THE APPLICANT) UPON OBJECTORS REASONABLE REQUEST. APPLICANT SHALL HAVE NO OBLIGATION TO KEEP RECORDS OF WATER MEASUREMENT LONGER THAN A THREE (3) YEAR PERIOD. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 41I. |
| 411 5039 | THE APPLICANT SHALL INSTALL A DEPARTMENT APPROVED WATER USE MEASURING DEVICE AT EACH POINT OF DIVERSION TO RECORD MONTHLY FLOW RATES AND VOLUMES OF ALL WATER DIVERTED. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 41I. |
| 411 5039 | THERE IS A PRIVATE AGREEMENT BETWEEN INDIVIDUALS WHICH HAS BEEN PLACED IN THE FILE BUT IS NOT NECESSARILY RECOGNIZED BY THIS DEPARTMENT. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 41I. |
| 411 5040 | THIS RIGHT IS SUBJECT TO THE AUTHORITY OF COURT APPOINTED WATER COMMISSIONERS, IF AND WHEN APPOINTED, TO ADMEASURE AND DISTRIBUTE TO THE PARTIES USING WATER IN THE SOURCE OF SUPPLY, THE WATER TO WHICH THEY ARE ENTITLED. THE APPROPRIATOR SHALL PAY HIS PROPORTIONATE SHARE OF THE FEES, COMPENSATION AND EXPENSES, AS FIXED BY THE DISTRICT COURT, INCURRED IN THE DISTRIBUTION OF THE WATERS. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 41I. |

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| 411 5040 | ON A FORM PROVIDED BY THE DEPARTMENT, THE APPLICANT SHALL KEEP A WRITTEN RECORD OF THE FLOW RATE AND THE VOLUME OF ALL WATER DIVERTED INCLUDING THE PERIOD OF TIME OF DIVERSION AND SHALL SUBMIT THE RECORDS TO THE DEPARTMENT BY NOVEMBER 30 OF EACH YEAR AND UPON THE DEPARTMENTS REQUEST AT OTHER TIMES DURING THE YEAR. FURTHER, FOR A PERIOD OF THREE (3) YEARS AFTER THE DATE OF DEPARTMENT APPROVAL OF THE CHANGE APPLICATION, THE APPLICANT SHALL MAKE ALL WRITTEN RECORDS OF WATER MEASUREMENT AVAILABLE TO OBJECTOR FOR REVIEW AND INSPECTION (AT NO COST TO THE APPLICANT) UPON OBJECTORS REASONABLE REQUEST. APPLICANT SHALL HAVE NO OBLIGATION TO KEEP RECORDS OF WATER MEASUREMENT LONGER THAN A THREE (3) YEAR PERIOD.THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 411. |
| 411 5040 | THE APPLICANT SHALL INSTALL A DEPARTMENT APPROVED WATER USE MEASURING DEVICE AT EACH POINT OF DIVERSION TO RECORD MONTHLY FLOW RATES AND VOLUMES OF ALL WATER DIVERTED. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 411. |
| 411 5040 | THERE IS A PRIVATE AGREEMENT BETWEEN INDIVIDUALS WHICH HAS BEEN PLACED IN THE FILE BUT IS NOT NECESSARILY RECOGNIZED BY THIS DEPARTMENT. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 411. |
| 411 5041 | THIS RIGHT IS SUBJECT TO THE AUTHORITY OF COURT APPOINTED WATER COMMISSIONERS, IF AND WHEN APPOINTED, TO ADMEASURE AND DISTRIBUTE TO THE PARTIES USING WATER IN THE SOURCE OF SUPPLY, THE WATER TO WHICH THEY ARE ENTITLED. THE APPROPRIATOR SHALL PAY HIS PROPORTIONATE SHARE OF THE FEES, COMPENSATION AND EXPENSES, AS FIXED BY THE DISTRICT COURT, INCURRED IN THE DISTRIBUTION OF THE WATERS. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 411. |
| 411 5041 | ON A FORM PROVIDED BY THE DEPARTMENT, THE APPLICANT SHALL KEEP A WRITTEN RECORD OF THE FLOW RATE AND THE VOLUME OF ALL WATER DIVERTED INCLUDING THE PERIOD OF TIME OF DIVERSION AND SHALL SUBMIT THE RECORDS TO THE DEPARTMENT BY NOVEMBER 30 OF EACH YEAR AND UPON THE DEPARTMENTS REQUEST AT OTHER TIMES DURING THE YEAR. FURTHER, FOR A PERIOD OF THREE (3) YEARS AFTER THE DATE OF DEPARTMENT APPROVAL OF THE CHANGE APPLICATION, THE APPLICANT SHALL MAKE ALL WRITTEN RECORDS OF WATER MEASUREMENT AVAILABLE TO OBJECTOR FOR REVIEW AND INSPECTION (AT NO COST TO THE APPLICANT) UPON OBJECTORS REASONABLE REQUEST. APPLICANT SHALL HAVE NO OBLIGATION TO KEEP RECORDS OF WATER MEASUREMENT LONGER THAN A THREE (3) YEAR PERIOD.THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 411. |

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| 411 5041 | THE APPLICANT SHALL INSTALL A DEPARTMENT APPROVED WATER USE MEASURING DEVICE AT EACH POINT OF DIVERSION TO RECORD MONTHLY FLOW RATES AND VOLUMES OF ALL WATER DIVERTED. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 41I. |
| 411 5041 | THERE IS A PRIVATE AGREEMENT BETWEEN INDIVIDUALS WHICH HAS BEEN PLACED IN THE FILE BUT IS NOT NECESSARILY RECOGNIZED BY THIS DEPARTMENT. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 41I. |
| 411 5489 | A TOTAL OF ONLY 146.00 ACRES MAY BE IRRIGATED DURING ANY GIVEN IRRIGATION SEASON BY THIS WATER RIGHT AND ITS SUPPLEMENTAL WATER RIGHT, 41I W005493-00, WITHIN THE 532.00 ACRES DESCRIBED UNDER THIS WATER RIGHT. |
| 411 5493 | A TOTAL OF ONLY 146.00 ACRES MAY BE IRRIGATED DURING ANY GIVEN IRRIGATION SEASON BY THIS WATER RIGHT AND ITS SUPPLEMENTAL WATER RIGHT, 41I W005489-00, WITHIN THE 546.00 ACRES DESCRIBED UNDER THIS WATER RIGHT. |
| 411 7074 | THIS RIGHT IS LIMITED TO THE HIGH OR FLOOD WATERS OF DEEP CREEK. |
| 411 7075 | PUMP IS SECONDARY MEANS OF DIVERSION. |
| 411 10741 | THE BROADWATER-MISSOURI WATER USERS ASSOCIATION EAST SIDE CANAL IS USED TO CONVEY WATER TO THE PLACE OF USE. |
| 411 10741 | ADMINISTRATION OF THIS RIGHT IS SUBJECT TO AN AGREEMENT ON FILE WITH THE MONTANA WATER COURT. SEE CASE WC 2016-06. |
| 411 10741 | CONTRACT WATER FROM THE BROADWATER-MISSOURI CANAL IS USED TO SUPPLEMENT THIS RIGHT IN SEC 3, TWP 06N, RGE 02E, BROADWATER COUNTY. |
| 411 19958 | SHOEMAKER DITCH IS USED TO CONVEY WATER TO TWO OFF- STREAM PUMPING RESERVOIRS IN THE NW OF SEC 25 TWP 07N RGE 03E. |
| 411 28028 | UNDIVIDED 1/2 INTEREST IN A SINGLE WATER RIGHT TO 1.50 CFS. |

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| <i>Water Right #</i> | <i>Remark</i> |
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| 411 28721 | THE BROADWATER-MISSOURI WATER USERS ASSOCIATION EAST SIDE CANAL IS USED AS A CARRIER TO CONVEY WATER DIVERTED FROM DEEP CREEK TO THE PLACE OF USE. |
| 411 28721 | ADMINISTRATION OF THIS RIGHT IS SUBJECT TO AN AGREEMENT ON FILE WITH THE MONTANA WATER COURT. SEE CASE WC 2016-06. |
| 411 28721 | BROADWATER-MISSOURI CANAL CONTRACT WATER IS USED TO SUPPLEMENT THIS CLAIM. |
| 411 28721 | THIS CLAIM IS CURRENTLY ADMINISTERED AS PART OF A HISTORICAL EXCHANGE PRACTICE WITH THE BROADWATER-MISSOURI CANAL. |
| 411 28721 | WATER DECREED FROM DEEP CREEK, CASE NO. 465, MEAGHER COUNTY, IS EXCHANGED FOR WATER DIVERTED FROM THE BROADWATER-MISSOURI WATER USER ASSOCIATION EAST SIDE CANAL. |
| 411 30897 | THE BROADWATER-MISSOURI WATER USERS ASSOCIATION EAST SIDE CANAL IS USED TO CONVEY WATER DIVERTED FROM GREYSON CREEK TO A SECONDARY POINT OF DIVERSION IN THE SWNESW SEC 15, TWP 06N, RGE 02E, BROADWATER COUNTY. |
| 411 30897 | THIRTY-FIVE MINERS INCHES OF WATER DECREED FROM DEEP CREEK, CASE NO. 465, MEAGHER COUNTY, IS EXCHANGED FOR FIFTY MINERS INCHES OF WATER DIVERTED FROM GREYSON CREEK. |
| 411 30897 | WATER IS NOT DIVERTED FROM THE CLAIMED SOURCE. WATER FROM THE CLAIMED SOURCE IS EXCHANGED FOR WATER DIVERTED FROM A DIFFERENT SOURCE. DUE TO THE EXCHANGE OF WATER, THE SOURCE AND PRIORITY DATE CANNOT BE CONFIRMED. |
| 411 30898 | WATER DECREED FROM DEEP CREEK, CASE NO. 465, MEAGHER COUNTY, IS EXCHANGED FOR WATER DIVERTED FROM THE BROADWATER-MISSOURI WATER USERS ASSOCIATION EAST SIDE CANAL AT A POINT IN THE SWNESW 15, TWP 06N, RGE 02E. |
| 411 30898 | WATER IS NOT DIVERTED FROM THE ORIGINALLY APPROPRIATED SOURCE. WATER FROM THE CLAIMED SOURCE IS EXCHANGED FOR WATER DIVERTED FROM A DIFFERENT SOURCE. DUE TO THE EXCHANGE OF WATER, THE SOURCE AND PRIORITY DATE CANNOT BE CONFIRMED. |

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| 411 30913 | THE BROADWATER-MISSOURI WATER USERS ASSOCIATION EAST SIDE CANAL IS USED TO CONVEY WATER DIVERTED FROM DEEP CREEK TO A SECONDARY POINT OF DIVERSION IN THE SENENW SEC 22 TWP 07N RGE 02E, BROADWATER COUNTY. |
| 411 30914 | THE BROADWATER-MISSOURI WATER USERS ASSOCIATION EAST SIDE CANAL IS USED TO CONVEY WATER DIVERTED FROM DEEP CREEK TO A SECONDARY POINT OF DIVERSION IN THE NESWNW SEC 34, TWP 07N, RGE 02E, BROADWATER COUNTY. |
| 411 30915 | THE BROADWATER-MISSOURI WATER USERS ASSOCIATION EAST SIDE CANAL IS USED TO CONVEY WATER DIVERTED FROM DEEP CREEK TO A SECONDARY POINT OF DIVERSION IN THE SENENW SEC 22, TWP 07N, RGE 02E, BROADWATER COUNTY. |
| 411 37797 | THE FLOW RATE IS LIMITED TO 2.06 CFS WHEN USING THE HIGH WATER SPILL DITCH. |
| 411 37797 | THE VOLUME IS LIMITED TO 450.00 AF/YR WHEN USING THE HIGH WATER SPILL DITCH. |
| 411 37797 | ADMINISTRATION OF THIS RIGHT IS SUBJECT TO AN AGREEMENT ON FILE WITH THE MONTANA WATER COURT. SEE CASE WC 2016-06. |
| 411 37798 | THE FLOW RATE IS LIMITED TO 1.41 CFS WHEN USING THE HIGH WATER SPILL DITCH. |
| 411 37798 | THE VOLUME IS LIMITED TO 350.00 AF/YR WHEN USING THE HIGH WATER SPILL DITCH. |
| 411 37798 | ADMINISTRATION OF THIS RIGHT IS SUBJECT TO AN AGREEMENT ON FILE WITH THE MONTANA WATER COURT. SEE CASE WC 2016-06. |
| 411 37799 | THE FLOW RATE IS LIMITED TO 2.25 CFS WHEN USING THE HIGH WATER SPILL DITCH. |
| 411 37799 | THE VOLUME IS LIMITED TO 500.00 AF/YR WHEN USING THE HIGH WATER SPILL DITCH. |
| 411 37799 | ADMINISTRATION OF THIS RIGHT IS SUBJECT TO AN AGREEMENT ON FILE WITH THE MONTANA WATER COURT. SEE CASE WC 2016-06. |

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| 411 49376 | CONTRACT WATER FROM THE BROADWATER-MISSOURI CANAL IS USED TO SUPPLEMENT THIS RIGHT. |
| 411 55909 | THE CLAIMED CONVEYANCE DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA. |
| 411 88929 | THIS RIGHT IS SUBJECT TO THE AUTHORITY OF COURT APPOINTED WATER COMMISSIONERS, IF APPOINTED, TO MEASURE AND DISTRIBUTE WATER. THE APPROPRIATORS SHALL PAY THEIR SHARE OF THE FEES, COMPENSATION, AND EXPENSES INCURRED IN THE DISTRIBUTION OF THE WATERS. THE FEE WILL BE SET BY DISTRICT COURT. THE APPROPRIATOR SHALL INSTALL A DEPARTMENT APPROVED WATER USE MEASURING DEVICE AT A POINT APPROVED BY THE DEPARTMENT. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING. ON A FORM PROVIDED BY THE DEPARTMENT, THE APPROPRIATOR SHALL KEEP A WRITTEN MONTHLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED INCLUDING THE PERIOD OF OPERATION. RECORDS SHALL BE SUBMITTED BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF A PERMIT OR CHANGE. |
| 411 88929 | THE NEW POINTS OF DIVERSION ONLY REPLACE THE HEADGATE IN THE NENWNE OF SEC 33, TWP 7N, RGE 3E, BROADWATER COUNTY. THE PUMP IN THE NESWNW OF SEC 31, TWP 7N, RGE 3E, BROADWATER COUNTY, WILL NOT BE REPLACED. |
| 411 88930 | THIS RIGHT IS SUBJECT TO THE AUTHORITY OF COURT APPOINTED WATER COMMISSIONERS, IF AND WHEN APPOINTED, TO ADMEASURE AND DISTRIBUTE TO THE PARTIES USING WATER IN THE SOURCE OF SUPPLY, THE WATER TO WHICH THEY ARE ENTITLED. THE APPROPRIATOR SHALL PAY HIS PROPORTIONATE SHARE OF THE FEES, COMPENSATION AND EXPENSES, AS FIXED BY THE DISTRICT COURT, INCURRED IN THE DISTRIBUTION OF THE WATERS. |
| 411 88930 | CONTRACT WATER FROM THE BROADWATER-MISSOURI CANAL IS USED TO SUPPLEMENT THIS WATER RIGHT. |
| 411 88930 | THE NEW POINTS OF DIVERSION ONLY REPLACE THE HEADGATE IN THE NENWNE OF SEC 33, TWP 7N, RGE 3E, BROADWATER COUNTY. THE PUMP IN THE NESWNW OF SEC 31, TWP 7N, RGE 3E, BROADWATER COUNTY WILL NOT BE REPLACED. |
| 411 89010 | THE FLOW RATE IS LIMITED TO AVAILABLE CAPACITY IN THE HIGH WATER SPILL DITCH. |

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| 411 89010 | THE BROADWATER-MISSOURI WATER USERS ASSOCIATION EAST SIDE CANAL IS USED TO CONVEY WATER DIVERTED FROM DEEP CREEK TO THE PLACE OF USE. |
| 411 89010 | ADMINISTRATION OF THIS RIGHT IS SUBJECT TO AN AGREEMENT ON FILE WITH THE MONTANA WATER COURT. SEE CASE WC 2016-06. |
| 411 89011 | THE BROADWATER-MISSOURI WATER USERS ASSOCIATION EAST SIDE CANAL IS USED TO CONVEY WATER DIVERTED FROM DEEP CREEK TO THE PLACE OF USE. |
| 411 89011 | ADMINISTRATION OF THIS RIGHT IS SUBJECT TO AN AGREEMENT ON FILE WITH THE MONTANA WATER COURT. SEE CASE WC 2016-06. |
| 411 89011 | THIS CLAIM IS CURRENTLY ADMINISTERED AS A PART OF A HISTORICAL EXCHANGE PRACTICE WITH THE BROADWATER-MISSOURI CANAL. |
| 411 89395 | CONTRACT WATER FROM THE BROADWATER-MISSOURI CANAL IS USED TO SUPPLEMENT THIS RIGHT. |
| 411 89396 | CONTRACT WATER FROM THE BROADWATER-MISSOURI CANAL IS USED TO SUPPLEMENT THIS RIGHT. |
| 411 89398 | CONTRACT WATER FROM THE BROADWATER-MISSOURI CANAL IS USED TO SUPPLEMENT THIS RIGHT. |
| 411 89398 | THIS RIGHT IS LIMITED TO HIGH OR FLOOD WATERS OF DEEP CREEK. |
| 411 90118 | THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 200 MINER'S INCHES DECREED IN CASE NO. 465, MEAGHER COUNTY. W001678-00, W090118-00. |
| 411 90137 | CONTRACT WATER FROM THE BROADWATER-MISSOURI CANAL IS USED TO SUPPLEMENT THIS RIGHT. |
| 411 90138 | CONTRACT WATER FROM THE BROADWATER-MISSOURI CANAL IS USED TO SUPPLEMENT THIS RIGHT. |
| 411 90140 | CONTRACT WATER FROM THE BROADWATER-MISSOURI CANAL IS USED TO SUPPLEMENT THIS RIGHT. |

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| 41I 100333 | THE BROADWATER-MISSOURI WATER USERS ASSOCIATION CANAL IS USED TO CONVEY WATER FROM DEEP CREEK TO THE PLACE OF USE. |
| 41I 100333 | ADMINISTRATION OF THIS RIGHT IS SUBJECT TO AN AGREEMENT ON FILE WITH THE MONTANA WATER COURT. SEE CASE WC 2016-06. |
| 41I 100333 | CONTRACT WATER FROM THE BROADWATER-MISSOURI CANAL IS USED TO SUPPLEMENT THIS RIGHT. |
| 41I 119466 | A HEADGATE AND DITCH DIVERT WATER FROM DEEP CREEK TO THE BROADWATER-MISSOURI PROJECT CANAL. |
| 41I 119466 | THIS RIGHT IS TO THE EXCESS OR FLOOD FLOWS OF DEEP CREEK WHEN THEY OCCUR. THE FLOW RATE IS THE CAPACITY OF THE PARSHALL FLUME LOCATED IN THE DITCH IMMEDIATELY DOWNSTREAM OF THE HEADGATE ON DEEP CREEK. |
| 41I 119466 | THIS RIGHT IS LIMITED TO HIGH OR FLOOD WATERS OF DEEP CREEK. |
| 41I 119466 | THE PLACE OF USE FOR SALE OF WATER IS THE LOCATION OF THE HEADGATE OF THE BROADWATER-MISSOURI MAIN CANAL LOCATED AT THE WEST END OF THE TOSTON DAM ON THE MISSOURI RIVER. |
| 41I 119466 | THIS RIGHT WAS ESTABLISHED PURSUANT TO SECTION 89-121 R.C.M. (1947)(REPEALED). THE RIGHT IS FOR SALE OF WATER THAT IS DIVERTED AND CONVEYED THROUGH THE BROADWATER-MISSOURI PROJECT CANAL TO WATER PURCHASERS WHO USE THE WATER FOR IRRIGATION AND STOCKWATER. |
| 41I 128108 | THIS RIGHT IS SUBJECT TO THE AUTHORITY OF COURT APPOINTED WATER COMMISSIONERS, IF AND WHEN APPOINTED, TO ADMEASURE AND DISTRIBUTE TO THE PARTIES USING WATER IN THE SOURCE OF SUPPLY, THE WATER TO WHICH THEY ARE ENTITLED. THE APPROPRIATOR SHALL PAY HIS PROPORTIONATE SHARE OF THE FEES, COMPENSATION AND EXPENSES, AS FIXED BY THE DISTRICT COURT, INCURRED IN THE DISTRIBUTION OF THE WATERS. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 41I. |

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| 411 128108 | ON A FORM PROVIDED BY THE DEPARTMENT, THE APPLICANT SHALL KEEP A WRITTEN RECORD OF THE FLOW RATE AND THE VOLUME OF ALL WATER DIVERTED INCLUDING THE PERIOD OF TIME OF DIVERSION AND SHALL SUBMIT THE RECORDS TO THE DEPARTMENT BY NOVEMBER 30 OF EACH YEAR AND UPON THE DEPARTMENTS REQUEST AT OTHER TIMES DURING THE YEAR. FURTHER, FOR A PERIOD OF THREE (3) YEARS AFTER THE DATE OF DEPARTMENT APPROVAL OF THE CHANGE APPLICATION, THE APPLICANT SHALL MAKE ALL WRITTEN RECORDS OF WATER MEASUREMENT AVAILABLE TO OBJECTOR FOR REVIEW AND INSPECTION (AT NO COST TO THE APPLICANT) UPON OBJECTORS REASONABLE REQUEST. APPLICANT SHALL HAVE NO OBLIGATION TO KEEP RECORDS OF WATER MEASUREMENT LONGER THAN A THREE (3) YEAR PERIOD. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 41I. |
| 411 128108 | THE APPLICANT SHALL INSTALL A DEPARTMENT APPROVED WATER USE MEASURING DEVICE AT EACH POINT OF DIVERSION TO RECORD MONTHLY FLOW RATES AND VOLUMES OF ALL WATER DIVERTED. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 41I. |
| 411 128108 | THE CHANGE APPLICATION 41I-30024882 IS ONLY FOR PROPERTY OWNED BY ML BAR RANCH LLC. |
| 411 128108 | THERE IS A PRIVATE AGREEMENT BETWEEN INDIVIDUALS WHICH HAS BEEN PLACED IN THE FILE BUT IS NOT NECESSARILY RECOGNIZED BY THIS DEPARTMENT. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 41I. |
| 411 128109 | THIS RIGHT IS SUBJECT TO THE AUTHORITY OF COURT APPOINTED WATER COMMISSIONERS, IF AND WHEN APPOINTED, TO ADMEASURE AND DISTRIBUTE TO THE PARTIES USING WATER IN THE SOURCE OF SUPPLY, THE WATER TO WHICH THEY ARE ENTITLED. THE APPROPRIATOR SHALL PAY HIS PROPORTIONATE SHARE OF THE FEES, COMPENSATION AND EXPENSES, AS FIXED BY THE DISTRICT COURT, INCURRED IN THE DISTRIBUTION OF THE WATERS. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 41I. |

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| 411 128109 | THE APPLICANT SHALL INSTALL A DEPARTMENT APPROVED WATER USE MEASURING DEVICE AT EACH POINT OF DIVERSION TO RECORD MONTHLY FLOW RATES AND VOLUMES OF ALL WATER DIVERTED. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 41I. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 41I. |
| 411 128109 | THE CHANGE APPLICATION 41I-30024882 IS ONLY FOR PROPERTY OWNED BY ML BAR RANCH LLC. |
| 411 128109 | THERE IS A PRIVATE AGREEMENT BETWEEN INDIVIDUALS WHICH HAS BEEN PLACED IN THE FILE BUT IS NOT NECESSARILY RECOGNIZED BY THIS DEPARTMENT. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 41I. |
| 411 128110 | THIS RIGHT IS SUBJECT TO THE AUTHORITY OF COURT APPOINTED WATER COMMISSIONERS, IF AND WHEN APPOINTED, TO ADMEASURE AND DISTRIBUTE TO THE PARTIES USING WATER IN THE SOURCE OF SUPPLY, THE WATER TO WHICH THEY ARE ENTITLED. THE APPROPRIATOR SHALL PAY HIS PROPORTIONATE SHARE OF THE FEES, COMPENSATION AND EXPENSES, AS FIXED BY THE DISTRICT COURT, INCURRED IN THE DISTRIBUTION OF THE WATERS. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 41I. |

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|----------------------|---|
| 41I 128110 | ON A FORM PROVIDED BY THE DEPARTMENT, THE APPLICANT SHALL KEEP A WRITTEN RECORD OF THE FLOW RATE AND THE VOLUME OF ALL WATER DIVERTED INCLUDING THE PERIOD OF TIME OF DIVERSION AND SHALL SUBMIT THE RECORDS TO THE DEPARTMENT BY NOVEMBER 30 OF EACH YEAR AND UPON THE DEPARTMENTS REQUEST AT OTHER TIMES DURING THE YEAR. FURTHER, FOR A PERIOD OF THREE (3) YEARS AFTER THE DATE OF DEPARTMENT APPROVAL OF THE CHANGE APPLICATION, THE APPLICANT SHALL MAKE ALL WRITTEN RECORDS OF WATER MEASUREMENT AVAILABLE TO OBJECTOR FOR REVIEW AND INSPECTION (AT NO COST TO THE APPLICANT) UPON OBJECTORS REASONABLE REQUEST. APPLICANT SHALL HAVE NO OBLIGATION TO KEEP RECORDS OF WATER MEASUREMENT LONGER THAN A THREE (3) YEAR PERIOD. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 41I. |
| 41I 128110 | THE APPLICANT SHALL INSTALL A DEPARTMENT APPROVED WATER USE MEASURING DEVICE AT EACH POINT OF DIVERSION TO RECORD MONTHLY FLOW RATES AND VOLUMES OF ALL WATER DIVERTED. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 41I. |
| 41I 128110 | THE CHANGE APPLICATION 41I-30024882 IS ONLY FOR PROPERTY OWNED BY ML BAR RANCH LLC. |
| 41I 128110 | THERE IS A PRIVATE AGREEMENT BETWEEN INDIVIDUALS WHICH HAS BEEN PLACED IN THE FILE BUT IS NOT NECESSARILY RECOGNIZED BY THIS DEPARTMENT. THIS CONDITION APPLIES TO ML BAR RANCH LLC CHANGE APPLICATION 30024882 41I. |
| 41I 214127 | WATER DECREED FROM DEEP CREEK CASE NO. 465, MEAGHER COUNTY, IS EXCHANGED FOR WATER DIVERTED FROM THE BROADWATER-MISSOURI WATER USERS ASSOCIATION EAST SIDE CANAL |
| 41I 30017449 | INSTREAM FROM MOUTH TO CASTLE FORK. |
| 41I 30117630 | WATER DECREED FROM DEEP CREEK, CASE NO. 465, MEAGHER COUNTY, IS EXCHANGED FOR WATER DIVERTED FROM THE BROADWATER-MISSOURI WATER USERS ASSOCIATION EAST SIDE CANAL. |
| 41I 30117631 | WATER DECREED FROM DEEP CREEK CASE NO. 465, MEAGHER COUNTY, IS EXCHANGED FOR WATER DIVERTED FROM THE BROADWATER-MISSOURI WATER USERS ASSOCIATION EAST SIDE CANAL |