ELECTRONICALLY FILED

43A-0130-R-2020 December 7, 2021

Montana Water Court

IN THE WATER COURT OF THE STATE OF MONTANA YELLOWSTONE DIVISION SHIELDS RIVER BASIN 43A PRELIMINARY DECREE

CLAIMANT: CJA Properties LLC

OBJECTOR: CJA Properties LLC

NOTICE OF INTENT TO APPEAR: 4 Diamond Ranch at Wallrock LLC

CASE 43A-0130-R-2020

43A 13858-0143A 191681-0043A 191676-0043A 191682-0043A 191677-0043A 191686-0043A 191678-0043A 191948-00

NOTICE OF FILING OF MASTER'S REPORT

This Master's Report was filed with the Clerk of the Montana Water Court. <u>Please</u> review this Report carefully.

You may file a written objection to this Master's Report if you disagree or find errors with the Master's Findings of Fact, Conclusions of Law, or Recommendations. The above stamped date indicates the date this Master's Report was filed and mailed. Rule 23 of the Water Right Adjudication Rules requires written objections to a Master's Report be filed within 10 days of the date of the Master's Report. Because this Master's Report was mailed to you, Rule 6(d) of the Montana Rules of Civil Procedure provides an additional 3 days to the 10-day objection period.

If you file an objection, you must mail a copy of the objection to all parties on the Service List found at the end of this 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.*

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

MASTER'S REPORT

The above-captioned claims appeared in the Preliminary Decree for Basin 43A. The claims received an objection from Claimant CJA Properties, LLC ("CJA") and a Notices of Intent Appear ("NOIAs") from 4 Diamond Ranch at Wallrock, LLC.

The above-captioned claims were consolidated into Case 43A-0130-R-2020 to resolve the Objections, NOIAs, and issue remarks.

FINDINGS OF FACT

1. The Court issued its Order reconsolidating many of the claims originally consolidated into Case 43A-0036-R-2020 on November 4, 2020. Claims 43A 13858-01, 43A 191676-00, 43A 191677-00, 43A 191678-00, 43A 191681-00, 43A 191682-00, 43A 191686-00, and 43A 191948-00 were reconsolidated into case 43A-0130-R-2020. The Court then reset the filing deadline for the parties to filing settlement documents resolving the Objections and NOIAs.

2. Prior to the above-referenced claims being reconsolidated, NOIA party 4 Diamond Ranch at Wallrock, LLC withdrew its NOIAs for claims 43A 13858-01, 43A 191676-00, 43A 191682-00, and 43A 191948-00 in its *Status Report and Notice of Withdrawal for Selected Notices of Intent to Appear* filed October 8, 2020.

3. On April 13, 2021, Claimant/Objector CJA Properties, LLC., filed a *Proposed Resolution and Motion for an Order Providing NOIA Parties with a Reasonable Response Time* to respond with their position regarding the proposal to resolve the self-objection and DNRC issue remarks.

4. On June 10, 2021, NOIA party 4 diamond Ranch at Wallrock, LLC filed a *Statement* denoting that, "4 Diamond does not possess additional information to be included concerning its NOIA."

5. CJA's *Proposed Resolution* addresses the self-objection to each claim. The *Proposed Resolution* attaches proposed abstracts and associated maps denoting the following proposed changes to the claims:

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<u>43A 13858-01</u>

*Maxin	num Acres:	185.00	170.00					
<u>ID</u> 1 *Peri Dive 2 *Peri	od of Diversi ersion Means h Name:	HEADGATE WESTLING-F 14 on: MARCH 1 TO	<u>Qtr Sec</u> OCTOBER	CH 5	4N	10E Name: I 10E	PARK	e Creek, Middle Fork Creek
	h Name:	WESTLING-F	PEPPER DIT	СН				POINT OF DIVERSION 01 IS
*Period of	Use:	MARCH 1 TO	OCTOBER 3	31				LOCATED ON THE MIDDLE FORK
*Place of <u>ID</u>	Use: <u>Acres</u>	Govt Lot	Qtr Sec	Sec	Twp	Rge	County	OF PORCUPINE CREEK. POINT OF DIVERSION 02 IS LOCATED ON PORCUPINE CREEK. THE POINT
1	3.00	1		6	4N	10E	PARK	OF DIVERSIONS ARE LOCATED
2	2.00	2		6	4N	10E	PARK	THESE SOURCES, AND ARE BOTH
3	10.00	5		5	4N	10E	PARK	USED TO SUPPLY WATER TO THE
4	20.00	6		6	4N	10E	PARK	SAME DITCH. WATER FROM ONE SOURCE MAY BE EXCHANGED
5	20.00	7		6	4N	10E	PARK	FOR WATER FROM THE OTHER
6	30.00	8		6	4N	10E	PARK	SOURCE.
7	35.00	9		6	4N	10E	PARK	
8	15.0 0	10		6	<u>4N</u>	1 0E	PARK	
9	15.00	11		5	4N	10E	PARK	
10	35.00	12		5	4N	10E	PARK	
Total:	185.00	170.00						

<u>43A 191676-00</u>

Maximum Acres:	198.00 183.	00				
Source Name:	DRY GULCH	CREEK				
Source Type:	SURFAC	CE WATER				
Point of Diversion and	Means of Divers	ion:				
<u>ID</u>	Govt Lot	Qtr Sec	Sec	Тwp	Rge	County
1	11		5	4N	10E	PARK
*Period of Diversion	: APRIL 1 TO	OCTOBER 31	Dite	ch Name	e: RAL	PH-PEPPER DITCH
Diversion Means:	HEADGATE					
2	11		5	4N	10E	PARK
*Period of Diversion	: APRIL 1 TO	OCTOBER 31				
Diversion Means:	HEADGATE					
Ditch Name:	WESTLING-F	PEPPER DITC	H			

Place of U	Jse:						
<u>ID</u>	Acres	Govt Lot	Qtr Sec	Sec	Тwp	Rge	County
1	3.00	1		6	4N	10E	PARK
2	2.00	2		6	4N	10E	PARK
3	20.00	6		6	4N	10E	PARK
4	20.00	7		6	4N	10E	PARK
5	30.00	8		6	4N	10E	PARK
6	30.00	9		6	4N	10E	PARK
7	15.00	-10		6	4N	10E	PARK
8	30.00	5		5	4N	10E	PARK
9	3.00	4		5	4N	10E	PARK
10	10.00	11		5	4N	10E	PARK
11	10.00	6		5	4N	10E	PARK
12	25.00	12		5	4N	10E	PARK
Total:	198.00	183.00					

<u>43A 191677-00</u>

Maximum Acres:	185.00 170.00
Source Name:	PORCUPINE CREEK
Source Type:	SURFACE WATER

*Point of Diversion and Means of Diversion:

<u>ID</u>	Govt Lot	Qtr Sec	Sec	Тwp	Rge County
1	11		5	4N	10E PARK
Period of Diversion: MAY 1 TO SEPTEMBER 30 APRIL 15 TO OCTOBER 31					
Diversion Means:	HEADGATE				
Ditch Name:	WESTLING DI	ТСН			

*Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	<u>County</u>
2	14		5	4N	10E	PARK
Period of Diversion: MAY 1 TO SEPTEMBER 30 APRIL 15 TO OCTOBER 31						
Diversion Means:	HEADGATE					
Ditch Name:	WESTLING-PEPPER DITCH					
Period of Use:	MAY 1 TO SEPT	FEMBER 3	0 APF	RIL 15 T		TOBER 31

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Тwp	Rge	<u>County</u>
1	3.00	1		6	4N	10E	PARK
2	2.00	2		6	4N	10E	PARK
3	20.00	6		6	4N	10E	PARK
4	20.00	7		6	4N	10E	PARK
5	30.00	8		6	4N	10E	PARK
6	35.00	9		6	4N	10E	PARK
7	15.00	10		6	4N	10E	PARK
8	10.00	5		5	4N	10E	PARK
9	15.00	11		5	4N	10E	PARK
10	35.00	12		5	4N	10E	PARK
Total:	185.00	170.00					

<u>43A 191678-00</u>

Maximum Acres:	185.00 170.00
Source Name:	PORCUPINE CREEK
Source Type:	SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Тwp	Rge	County
1	11		5	4N	10E	PARK
Period of Diversion: MAY 1 TO SEPTEMBER 30 APRIL 15 TO OCTOBER 31						
Diversion Means:	HEADGATE					
Ditch Name:	WESTLING DIT	CH WEST	ΓLING	-PEPPE	ER DITC	Н

Point of Diversion and Means of Diversion:

$\frac{\mathbf{ID}}{2}$	<u>Govt Lot</u> 14	<u>Qtr Sec</u>	<u>Sec</u> 5	<u>Twp</u> 4N		<u>County</u> PARK
Period of Diversion: MAY 1 TO SEPTEMBER 30 APRIL 15 TO OCTOBER 31						
Diversion Means:	HEADGATE					
Ditch Name:	Ditch Name: WESTLING-PEPPER DITCH					
Period of Use:	MAY 1 TO SEPT	FEMBER 3	0 API	RIL 15 1		TOBER 31

Place of Use:

<u>ID</u>	Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	3.00	1		6	4N	10E	PARK
2	2.00	2		6	4N	10E	PARK
3	20.00	6		6	4N	10E	PARK
4	20.00	7		6	4N	10E	PARK
5	30.00	8		6	4N	10E	PARK
6	35.00	9		6	4N	10E	PARK
7	15.00	10		6	<u>4N</u>	10E	PARK
8	10.00	5		5	4N	10E	PARK
9	15.00	11		5	4N	10E	PARK
10	35.00	12		5	4N	10E	PARK
Total:	185.00	170.00					

Total: <u>185.00</u>

<u>43A 191681-00</u>

Maximum Acres:	310.00 346.00
Source Name:	SHIELDS RIVER, SOUTH FORK
Source Type:	SURFACE WATER

*Point of Diversion and Means of Diversion:

<u>ID</u>	Govt Lot	Qtr Sec	Sec	Тwp	Rge	County
1	4	NWNW	2	4N	10E	PARK
Period of Diversion	: MAY 1 TO NOV	EMBER 30	APF	RIL 1 TC		OBER 31
Diversion Means:	HEADGATE					
Ditch Name:	VANDYCK-PEP	PER DITC	H **S	ee below	for Pro	posed Reservoir Add
Period of Use:	MAY 1 TO NOVI	EMBER 30	APR	IL 1 TO	осто	DBER 31

Reservoir 01:	ONSTREAM	Peservoir Nome:	DRY GULCH RESERVOIR
Reservoir 01.	UNS I REAM	Reservoir marne.	DRY GULUH RESERVUIR

Govt. Lot	Qtr Sec	Sec	Twp	Rge	County
8		5	4N	10E	PARK

Diversion to Reservoir:	Dam
Dam Height:	25.00 feet
Surface Area:	6 Acres
Capacity:	120.00 Acre-Feet

Reservoir 02:	ONSTREAM	Reservoir Name: KEVIN'S POND					
	Govt. Lot	Qtr Sec	Sec	Twp	Rge	County	
		NWSWSW	4	4N	10E	PARK	

Dam
14.00
0.6 Acres
1.70 Acre-Feet

Place of U	Jse:					
ID	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	3.00	1		6	4N	10E PARK
2	2.00	2		6	4N	10E PARK
3	20.00	6		6	4N	10E PARK
4	20.00	7		6	4N	10E PARK
5	30.00	8		6	4N	10E PARK
6	30.00	9		6	4N	10E PARK
7	15.00	10		6	<u>4N</u>	
8	30.00	5		5	4N	10E PARK Add:
9	10.00	11		5	4N	
10	25.00	12		5	4N	10E PARK 51.00 E2 Sec. 5 T4N R 10E PARK
11	10.00	6		5	4N	10E PARK
12	3.00	4		5	4N	10E PARK
13	2.00	8		5	4N	10E PARK
14	30.00	9		5	4N	10E PARK
15	15.00	10		5	4N	10E PARK
16	37.00	12		4	4N	10E PARK
17	28.00	5		4	4N	10E PARK
Total:	310.00	346.00				

<u>43A 191682-00</u>

Maximum Acres:	185.00 170.00
Source Name:	PORCUPINE CREEK
Source Type:	SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	Govt Lot	Qtr Sec	Sec	Тwp	Rge County
1	11		5	4N	10E PARK
*Period of Diversion	: APRIL 1 TO O	CTOBER 31	I		
Diversion Means:	HEADGATE				
Ditch Name:	WESTLING DI	FCH WEST	LING	PEPPE	R DITCH

Place of Use:

<u>ID</u>	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	<u>County</u>
1	10.00	5		5	4N	10E	PARK
2	15.00	11		5	4N	10E	PARK
3	35.00	12		5	4N	10E	PARK
4	3.00	1		6	4N	10E	PARK
5	2.00	2		6	4N	10E	PARK
6	20.00	6		6	4N	10E	PARK
7	20.00	7		6	4N	10E	PARK
8	30.00	8		6	4N	10E	PARK
9	35.00	9		6	4N	10E	PARK
10	15.00	10		6	<mark>4N</mark>	1 0E	PARK
Total:	185.00	170.00					

<u>43A 191686-00</u>

Maximum Acres:	198.00 183.00
Source Name:	DRY GULCH CREEK
Source Type:	SURFACE WATER

*Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	Qtr Sec	Sec	Тwp	Rge County
1	8		5	4N	10E PARK
Period of Diversion	: MAY 1 TO SEP	TEMBER 3	HO APF	RIL 1 TC	OCTOBER 31
Diversion Means:	DAM				
Ditch Name:	R. PEPPER DIT	CH RALP	H-PE	PPER D	ITCH

ADDITIONAL <u>SECONDARY</u> PODS:

2		11	5	4N	10E	PARK
	Period of Diversion:	APRIL 1 TO OCTOBER 31				
	Diversion Means:	Pipe				
	Ditch Name:	WESTLING-PEPPER DITCH				

3		14	5	4N	10E	PARK
	Period of Diversion:	APRIL 1 TO OCTOBER 31				
	Diversion Means:	Pipe				
	Ditch Name:	WESTLING-PEPPER DITCH				

Period of Use:

APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	Acres	Govt Lot	Qtr Sec	Sec	Тwp	Rge	County
1	3.00	1		6	4N	10E	PARK
2	2.00	2		6	4N	10E	PARK
3	20.00	6		6	4N	10E	PARK
4	20.00	7		6	4N	10E	PARK
5	30.00	8		6	4N	10E	PARK
6	30.00	9		6	4N	10E	PARK
7	15.00	10		6	<mark>4N</mark>	10E	PARK
8	30.00	5		5	4N	10E	PARK
9	10.00	11		5	4N	10E	PARK
10	25.00	12		5	4N	10E	PARK
11	10.00	6		5	4N	10E	PARK
12	3.00	4		5	4N	10E	PARK
Total:	198.00	183.00					

<u>43A 191948-00</u>

Maximum Acres:

165.00 201.00

*Point of Diversion and M	leans of Diversio	on:			
ID	Govt Lot	Qtr Sec	Sec	Тwp	Rge County
1	11		5	4N	10E PARK
*Period of Diversion:	APRIL 1 TO O	CTOBER 31			
Diversion Means:	HEADGATE				
Ditch Name:	WESTLING D	HCH WEST	_ING-	PEPPE	RDITCH
2	13		4	4N	10E PARK
*Period of Diversion:	APRIL 1 TO O	CTOBER 31			
Diversion Means:	HEADGATE				
3		NENWSW	4	4N	10E PARK
Period of Diversion:		OBER 31			
Diversion Means: H Ditch Name: \	HEADGATE /ANDYCK-PEPP				Below For Added Reservior
Ditch Name.		ER BITCH		follow F	20D 3
Reservoir: ONSTREA	M Reserv	oir Name: K	EVIN	'S PONI	D
		C (C)	•	-	
<u>Govt. I</u>	<u>_ot</u>	Qtr Sec NWSWSW	<u>Sec</u> 4	Twp 4N	
		11030300	4	411	IVE FARK
Dam Height:	14.00 Feet				
Surface Area:	0.6 Acres				
Capacity:	1.70 Acre-Feet				
Place of Use:					
	ovt Lot Q	tr Sec Sec	Тwp	Rge	<u>County</u>
1 3.00	1	6	4N		PARK
2 2.00	2	6	4N		PARK
3 20.00	6	6	4N	10E	PARK
4 20.00	7	6	4N	10E	PARK
5 30.00	8	6	4N		PARK Add:
6 30.00	9	6	4N		PARK 51.00 E2 Sec. 5 T4N R10E
7 15.00	10	6	<u>4N</u>		PARK
8 10.00	11	5	4N		PARK
9 25.00	12	5	4N		PARK
10 10.00	9	5	4N		PARK
Total: 165.00 201.00		2			

6. In support of the above-listed requested modifications, CJA attaches the declarations of Harlan and Harley Westling. The Westlings are neighboring ranchers with CJA, who grew up on the adjacent property, and still live there to this day. Thus, they both have extensive historical knowledge of the historic water use practices of the neighboring property owned by CJA. Both declarations attest that the period of use and period of diversion for the claims 43A 191677-00 and 43A 191678-00 should be April 15 to October 31 and that claims 43A 191681-00 and 43A 191686-00 should be April 1 to

October 31. Additionally, CJA proffers the Westling declarations to support the changes to source, ditch names, points of diversion, max acres and reservoir records as outlined in the proposed abstracts listed above.

7. To support the requests to generate an implied stock water claims from each of the above-captioned claims, CJA states that "[t]he decreed appropriation from *Henswood et. al. v. Hodson et. al.*, Case No. 2717, pg. 190 (6th Jud. Dist., Park County, March 3, 1911), claimed under each of the claims states that water is to be used for irrigation 'or for other useful and beneficial purposes.'" In order to support historical stock use as one of the purported "other purposes" of the right, CJA again asserts the declarations of Harlan and Harley Westling. The Westlings are neighboring ranchers with CJA who grew up on the adjacent property, and still live there to this day. Thus, they both have extensive historical knowledge of the historic water use practices of the neighboring property owned by CJA. In sum, both declarations attest to the historical usage for the implied stock claims on the CJA property.

8. In addition to the statements made in CJA's *Motion to Modify* and associated declarations attached thereto, the *Motion* attaches proposed abstracts containing the following proposed modification to each claim for the creation of the implied claims:

43A 13858-01-3012512602

Priority Date:	JUNE 1, 1902
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 THE 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 UNIT SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THIS AREA SERVED BY THIS WATER SOURCE.

*Point of Diversion and M	Aeans of Diversio	on:					
<u>ID</u>	Govt Lot	Qtr Sec	Sec	Twp		County	
1	14		5	4N	10E	PARK	
*Period of Diversion	MARCH 1 TO	OCTOBER	31	Sourc	e Nan	ne: Porcu	pine Creek, Middle Fork
Diversion Means:	HEADGATE						
Ditch Name:	WESTLING-PE	EPPER DIT	СН				
2	14		5	4N	10E	PARK	
*Period of Diversion	MARCH 1 TO	OCTOBER	31	Source	e Name	e: Porcup	ine Creek
Diversion Means:	HEADGATE						
Ditch Name:	WESTLING-PE	EPPER DIT	СН				POINT OF DIVERSION 01 IS
*Period of Use:	MARCH 1 T	O OCTOBE	R 31				LOCATED ON THE MIDDLE FORK
							OF DIVERSION 02 IS LOCATED
*Place of Use:							ON PORCUPINE CREEK. THE
ID Acres	Govt Lot	Qtr Sec	Sec	Тмр	Rge	County	POINT OF DIVERSIONS ARE
1			6	4N	10E	PARK	LOCATED NEAR THE
2			5	4N	10E	PARK	CONFLUENCE OF THESE
3							SOURCES, AND ARE BOTH USED
4							TO SUPPLY WATER TO THE
							SAME DITCH. WATER FROM ONE
5							SOURCE MAY BE EXCHANGED
6							FOR WATER FROM THE OTHER
7							SOURCE.

<u>43A 191676-00—30151603</u>

	JUNE 1, 1892
Priority Date:	DECREED
Type of Historical Right:	STOCK
Purpose(use):	
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.
Volume:	THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY
	NECESSARY TO SUSTAIN THE PURPOSE.
	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 UNIT SHALL BE BASED ON REASONABLE CARRYING
	CAPACITY AND HISTORICAL USE OF THIS AREA SERVED BY THIS WATER SOURCE.
	Climatic Area: 4 - MODERATELY LOW
Doint of Diversion e	nd Moons of Diversion:

Point of Diversion and Means of Diversion:

ID	<u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Тwp	Rge	County
4			5	4N	10E	PARK
*Period of Diversion:	· · - ·	TOBER 3	5 1 <mark>Di</mark>	4N tch Name:	10E RAL	PARK PH-PEPPER DITCH
Diversion Means: 2	HEADGATE 11					
- *Period of Diversion: Diversion Means:	APRIL 1 TO OC HEADGATE	TOBER 3	1 Dit	ch Name:	WEST	ILING-PEPPER DTICH

POINT OF DIVERSION 01 IS LOCATED ON DRY GULCH. POINT OF DIVERSION 02 IS LOCATED AT THE CONFLUENCE OF PORCUPINE CREEK AND DRY GULCH. THESE SOURCES ARE BOTH USED TO SUPPLY WATER TO THE SAME DITCH. WATER FROM ONE SOURCE MAY BE EXCHANGED FOR WATER FROM THE OTHER SOURCE.

*Period of Use	:	APRIL 1 TO	OCTOBE	-R 31				
Place of Use:		Gentlet		G	6	T	D	Grante
<u>ID</u>	Acres	<u>Govt Lot</u>	Qti	· Sec	Sec	<u>Twp</u>		County
1					6	4N		PARK
2					5	4N	10E	PARK
<u>43A 191677</u>	′ -00 —	-30151604						
		MAY 15, 1901						
Priority Date:		DECREED						
Type of Historic	al Right:	:						
Purpose(use):		STOCK						S NOT BEEN DECREED BECAUSE THIS
Flow Rate:								DRINKING DIRECTLY FROM THE SOURCE I. THE FLOW RATE IS LIMITED TO THE
Volume:								ICALLY NECESSARY TO SUSTAIN THE
				URPO				
								AMOUNT OF WATER CONSUMPTIVELY
Clima	tic Area:	: 4 - MODERATEL	Y LOW G	ALLO	NS PE	R DAY I	PER AN	IMAL UNIT. ANIMAL UNIT SHALL BE
Source Name:	:	PORCUPINE C	DEEV					ARRYING CAPACITY AND HISTORICAL
Source Type	•	SURFACE	WATER					
	ion and N	Means of Diversion		See	True	Dee	Country	
<u>ID</u> 1		<u>Govt Lot</u> 11	<u>Qtr Sec</u>	<u>Sec</u> 5	<u>Twp</u> 4N		County PARK	
•	Diversio	m: APRIL 15 TO (OCTOBER	31		TOL	17444	
Diversion 1		HEADGATE						
Ditch Nam	e:	WESTLING DIT	СН					
*Point of Diversi	on and N	Aeans of Diversion						
<u>ID</u>		Govt Lot	Qtr Sec	Sec	Тwp	Rge	Count	V
2		14	<u> </u>	5	4N			±
Period of I	Diversion	n: APRIL 15 TO (OCTOBEF	31				
Diversion N	Means:	HEADGATE						
Ditch Name	e:	WESTLING-PE	PPER DIT	СН				
Period of Use:		APRIL 15 TO O	CTOBER	31				
Place of Use:								
<u>ID</u> <u>A</u>	cres	Govt Lot	Qtr Sec	Sec	Twp	Rge	Count	<u>v</u>
1				6	4N	10E	PARK	C
2				5	4N	10E	PARK	C

<u>43A 191678-00—30151605</u>

	JULY 1, 1890									
Priority Date:	DECREED									
Type of Historical Right:	STOCK									
Purpose(use):	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF									
Flow Rate:	STOCK DRINKING DIRECTLY FROM THE SOURCE OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THE PURPOSE.									
Volume:										
Climatic Area: 4	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 UNIT SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THIS AREA SERVED BY THIS WATER SOURCE. 4 - MODERATELY LOW									
Source Name:	PORCUPINE CREEK									
Source Type:	SURFACE WATER									
Point of Diversion and M	eans of Diversion:									
ID	Govt Lot <u>Qtr Sec Sec Twp Rge</u> County									
1 Pariad of Divarcia	11 5 4N 10E PARK n: APRIL 15 TO OCTOBER 31									
Diversion Means:	HEADGATE									
Ditch Name:	WESTLING-PEPPER DITCH									
Point of Diversion and N	Means of Diversion:									
$\frac{\mathbf{ID}}{2}$	Govt Lot Qtr Sec Sec Twp Rge County									
_	14 5 4N 10E PARK									
Period Diversion Means:	of Diversion: APRIL 15 TO OCTOBER 31 HEADGATE									
Ditch Name:	WESTLING-PEPPER DITCH									
Period of Use:	APRIL 15 TO OCTOBER 31									
Place of Use:										
ID Acres	Govt Lot Qtr Sec Sec Twp Rge County									
1	<u>6 4N 10E PARK</u>									
2	5 4N 10E PARK									

<u>43A 191681-00—30151606</u>

MAY 20, 1902 **Priority Date:** Type of Historical Right: DECREED STOCK Purpose(use): 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 THE Flow Rate: PURPOSE. THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK Volume: WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNIT SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THIS AREA SERVED BY THIS WATER SOURCE. SHIELDS RIVER, SOUTH FORK Source Name: SURFACE WATER Source Type: *Point of Diversion and Means of Diversion:

"Point of Diversion and N	leans of Diversion	:				
<u>ID</u>	Govt Lot	<u>Qtr Sec</u>				County
1	4	NWNW	2	4N	10E	PARK
Period of Diversion	: APRIL 1 TO OC	TOBER 31				
Diversion Means:	HEADGATE					
Ditch Name:	VANDYCK-PEP	PER DITC	Н *	See bel	low fo	r Reservoir Additions
Period of Use:	APRIL 1 TOOCT	OBER 31				

Place of Use:

<u>ID</u>	Acres	<u>Govt Lot</u>	Qtr S	ec Se	<u>c Twp</u>	<u>Rge</u> Cou	inty
1	3.00	1	E2	34	4 5N	10E PA	RK
2				33	5N	10E PA	RK
3			W2V	W2 3	4N	10E PA	RK
4				4	4N	10E PA	ARK
5			E	2 5	4N	10E PA	RK
0							
Reservoir 01:	ONSTI	REAM	Reservoir Nar	ne: DF	RY GUL	CH RESERV	OIR
	Govt.	Lot	Qtr Sec	Sec	Twp	Rge Coun	ty
		8		5	4N	10E PA	RK
Diversion to R	leservoir:	Dam					
Dam Height:		25.00 feet					
C C A		C					

Dam Height:	25.00 feet
Surface Area:	6 Acres
Capacity:	120.00 Acre-Feet

Reservoir 02:	ONSTREAM	Reservoir Nat	me: K	EVIN'S		
	Govt. Lot	Qtr Sec	Sec	Twp	Rge	County
		NWSWSW	4	4N	10E	PARK

Diversion to Reservoir:	Dam
Dam Height:	14.00
Surface Area:	0.6 Acres
Capacity:	1.70 Acre-Feet

43A 191682-00-30151607

Priority Date:	JUNE 1, 1890
Type of Historical	Right: DECREED
Purpose(use):	STOCK A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK
Flow Rate:	DRINKING DIRECTLY FROM THE SOURCE OR FROM A DITCH SYSTEM. THE FLOW RATE IS
Volume:	LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THE PURPOSE.
Source Name:	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 UNIT SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THIS AREA SERVED BY THIS WATER SOURCE. PORCUPINE CREEK
Source Type:	SURFACE WATER
Point of Diversion	and Means of Diversion:
ID	Govt Lot Qtr Sec Sec Twp Rge County
Diversion Me Ditch Name:	11 5 4N 10E PARK ersion: APRIL 1 TO OCTOBER 31 eans: HEADGATE WESTLING-PEPPER DITCH
*Period of Use:	APRIL 1 TO OCTOBER 31
Place of Use: <u>ID</u>	Acres Govt Lot <u>Qtr Sec Sec Twp Rge County</u>
1	NW 5 4N 10E PARK
2	^{15.00} N2 6 4N 10E PARK
<u>43A 191686-0</u>	00—30151608
Priority Date:	NOVEMBER 24, 1954
Type of Historical l	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 THE 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 UNIT SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THIS AREA SERVED BY THIS WATER SOURCE.
Source Name:	DRY GULCH CREEK
Source Type:	SURFACE WATER
*Point of Diversion	and Means of Diversion:
<u>ID</u>	Govt Lot Qtr Sec Sec Twp Rge County
1	8 5 4N 10E PARK
Period of Div	version: APRIL 1 TO OCTOBER 31

Diversion Means:DAMDitch Name:RALPH-PEPPER DITCH

		<u>Govt Lot</u>	<u>Qtr S</u>	<u>Sec</u> <u>Sec</u> 5			<u>e</u> <u>County</u> E PARK						
Dar Sur	rersion to Ro m Height: face Area: pacity:		DIVERSION 25.00 FEE 6.00 AC 120.00 AC RESERVOIR	ET RES RE-FEE					ודט דטב	WATE	D		
			THE CLAIM			DITION		ERVOIF	R DATA.			ndarry D	
Period of Use	e:	APRIL 1 TO	OCTOBER	R 31		i k		v IOI tv	v0 (2) a	uuniona		liuary r	UI.
Place of Use: <u>ID</u>	Acres	<u>Govt Lot</u>	<u>Qtr S</u>	sec Sec	Tw	<u>p R</u> g	<u>e Count</u>	Y					
1 2	3.00 2.00	1 2	N2 N2				E PARK E PARK						
ADDITION	NAL SECO	ONDARY	PODS:										
	n Means:	n: APRIL Pipe WESTL	11 1 TO OCT ING-PEPF			5	4N	10E	PARK				
3													
Period of	n Means: ime:		ING-PEPF			5	4N	TOL	PARK				
Period of Diversion Ditch Na	n Means: ime: 8-00—3	Pipe WESTL	1 TO OCT ING-PEPF <u>9</u>			2	418	IUE	TAKK				
Period of Diversion Ditch Na 43A 19194	n Means: ime: 8-00-3 cal Right:	Pipe WESTL 30151609 MAY 20, 19 USE	1 TO OCT ING-PEPF <u>9</u>			2	418	TOE	TAKK				
Period of Diversion Ditch Na 43A 19194 Priority Date:	n Means: ime: 8-00-3 cal Right:	Pipe WESTL 30151609 MAY 20, 19 USE STOCK	1 TO OCT ING-PEPF <u>9</u> 15	PER DI	ГСН						CONSI	STS OF	' 51
Period of Diversion Ditch Na 43A 19194 Priority Date: Type of Histori	n Means: ime: 8-00-3 cal Right:	Pipe WESTL 30151609 MAY 20, 19 USE	I TO OCT ING-PEPF 9 15 C FLOW RA DIRECTLY	PER DI TE HAS FROM	ICH NOT I THE S	BEEN I OURC	DECREEI E OR FRO) BECA DM A E	AUSE TH DITCH S'	IIS USE YSTEM	. THE F	LOW R	AT
Period of Diversion Ditch Na 43A 19194 Priority Date: Type of Histori Purpose(use):	n Means: ime: 8-00	Pipe WESTL 30151609 MAY 20, 19 USE STOCK A SPECIFIC DRINKING LIMITED T	I TO OCT ING-PEPF 9 15 C FLOW RA DIRECTLY O THE MIN T INCLUDE G PURPOSE L BE BASE	ER DI TE HAS FROM IMUM A S THE A S AT TH D ON R	NOT I THE S AMOU IE RA' EASO	BEEN I OURC NT HIS NT OF FE OF I NABLI	DECREEI E OR FRO STORICA WATER 30 GALLO E CARRY	D BECA DM A E LLY N CONSI DNS PE	AUSE TH DITCH S' ECESSA JMPTIV GR DAY	IIS USE YSTEM. RY TO ELY US PER AN	. THE F SUSTA SED FO	LOW R IN THE R STOC UNIT. A	AT E CK
Period of Diversion Ditch Na 43A 19194 Priority Date: Type of Histori Purpose(use): Flow Rate: Volume:	n Means: ime: 8-00	Pipe WESTL 30151609 MAY 20, 19 USE STOCK A SPECIFIC DRINKING LIMITED T PURPOSE. THIS RIGHT WATERING UNIT SHAL THIS AREA	I TO OCT ING-PEPF 9 15 C FLOW RA DIRECTLY O THE MIN T INCLUDE G PURPOSE L BE BASE A SERVED E	PER DI TE HAS FROM IMUM A S THE A S AT THE D ON R BY THIS NEN	NOT I THE S AMOU IE RA EASO WATI	BEEN I OURC NT HIS NT OF FE OF NABLI ER SOU	DECREEI E OR FRO STORICA WATER 30 GALLO E CARRY	D BECA DM A E LLY N CONSI DNS PE	AUSE TH DITCH S' ECESSA JMPTIV ER DAY APACIT	IIS USE YSTEM. RY TO ELY US PER AN	. THE F SUSTA SED FO	LOW R IN THE R STOC UNIT. A	AT E XK
Period of Diversion Ditch Na 43A 19194 Priority Date: Type of Histori Purpose(use): Flow Rate: Volume: 3 Period c	n Means: me: 8-00	Pipe WESTL 3015160 MAY 20, 19 USE STOCK A SPECIFIC DRINKING LIMITED T PURPOSE. THIS RIGHT WATERING UNIT SHAL THIS AREA ON: APRIL HEADG	I TO OCT ING-PEPF 9 15 C FLOW RA DIRECTLY O THE MIN T INCLUDE G PURPOSE L BE BASE A SERVED E	TE HAS FROM IMUM A S THE A S AT TH D ON R BY THIS NEN OBER	NOT I THE S AMOU IE RA EASO WATI	BEEN I OURC NT HIS NT OF FE OF NABLI ER SOU	DECREEI E OR FRO STORICA WATER 30 GALLO E CARRY JRCE. 4N	D BECA DM A E LLY N CONSU DNS PE ING CA 10 Below	AUSE TH DITCH S' ECESSA JMPTIV GR DAY APACIT E PA	IIS USE YSTEM. RY TO ELY US PER AN Y AND	. THE F SUSTA SED FO NIMAL HISTOI	LOW R IN THE R STOC UNIT. A RICAL I	AT CK ANI USI
Period of Diversion Ditch Na 43A 19194 Priority Date: Type of Histori Purpose(use): Flow Rate: Volume: 3 Period of Diversion	n Means: me: 8-00 cal Right: cal Right: con Diversion means: ame:	Pipe WESTL 30151609 MAY 20, 19 USE STOCK A SPECIFIC DRINKING LIMITED T PURPOSE. THIS RIGHT WATERING UNIT SHAL THIS AREA ON: APRIL HEADG VANDY	I TO OCT ING-PEPF 9 15 C FLOW RA DIRECTLY O THE MIN T INCLUDE G PURPOSE L BE BASE SERVED F SERVED F	TE HAS FROM IMUM A S THE A S THE A S THE A D ON R BY THIS OBER ER DIT	NOT I THE S AMOU IE RA EASO WATI IWSV 31 CH	BEEN I OURC NT HIS NT OF FE OF NABLI ER SOU	DECREEI E OR FRO STORICA WATER 30 GALLO E CARRY JRCE. 4N **See	D BECA DM A E LLY N CONSU DNS PE ING CA 10 Below	AUSE TH DITCH S' ECESSA JMPTIV GR DAY APACIT E PA	IIS USE YSTEM. RY TO ELY US PER AN Y AND	. THE F SUSTA SED FO NIMAL HISTOI	LOW R IN THE R STOC UNIT. A RICAL I	AT E CK ANI USI
Period of Diversion Ditch Na 43A 19194 Priority Date: Type of Histori Purpose(use): Flow Rate: Volume: 3 Period c Diversio Ditch Na *Period of Use	n Means: me: 8-00 (cal Right: cal Rig	Pipe WESTL 3015160 MAY 20, 19 USE STOCK A SPECIFIC DRINKING LIMITED T PURPOSE. THIS RIGHT WATERINC UNIT SHAL THIS AREA IN: APRIL HEADG VANDY APRIL 1	I TO OCT ING-PEPF 9 15 C FLOW RA DIRECTLY O THE MIN T INCLUDE G PURPOSE L BE BASE SERVED F SERVED F 1 TO OCTO	TE HAS FROM IMUM A S THE A S AT TH D ON R S AT TH S AT TH D ON R S AT TH D ON R S AT TH D ON R S AT TH S AT TH D ON R S AT TH D ON R S AT TH S AT TH S AT TH S AT TH D ON R S AT TH S	NOT I THE S AMOU EASO WATI IWSV 31 CH	BEEN I OURC NT HIS NABLI ER SOU V 4	DECREEI E OR FRO STORICA WATER 30 GALLO E CARRY JRCE. 4N **See follow	D BECA DM A E LLY N CONSI DNS PE ING CA 10 Below POD 3	AUSE TH DITCH S' ECESSA JMPTIV GR DAY APACIT E PA (For Ac 3	IIS USE YSTEM. RY TO ELY US PER AN Y AND	. THE F SUSTA SED FO NIMAL HISTOI	LOW R IN THE R STOC UNIT. A RICAL I	AT E CK ANI USE
Period of Diversion Ditch Na 43A 19194 Priority Date: Type of Histori Purpose(use): Flow Rate: Volume: 3 Period c Diversio Ditch Na *Period of Us	n Means: me: 8-00 (acal Right: acal Right: b of Diversion on Means: ame: se:	Pipe WESTL 30151609 MAY 20, 19 USE STOCK A SPECIFIC DRINKING LIMITED T PURPOSE. THIS RIGHT WATERING UNIT SHAL THIS AREA ON: APRIL HEADG VANDY	I TO OCT ING-PEPF 9 15 C FLOW RA DIRECTLY O THE MIN T INCLUDE G PURPOSE L BE BASE SERVED F SERVED F 1 TO OCTO	TE HAS FROM IMUM A S THE A S THE A S THE A D ON R BY THIS OBER ER DIT	NOT I THE S AMOU IE RA EASO WATI IWSV 31 CH	BEEN D OURC NT HIS NT OF TE OF NABLI ER SOU V 4	DECREEL E OR FRO STORICA WATER 30 GALLO E CARRY JRCE. 4N **See follow <u>Rge</u>	D BECA DM A E LLY N CONSU DNS PE ING CA 10 Below	AUSE TH DITCH S' ECESSA JMPTIV R DAY APACIT E PA (For Ac 3	IIS USE YSTEM. RY TO ELY US PER AN Y AND	. THE F SUSTA SED FO NIMAL HISTOI	LOW R IN THE R STOC UNIT. A RICAL I	AT E CK ANI USE

Reservoir : ONSTI Govt. L		Reservoir Nat Qtr Sec NWSWSW	Sec 4	Twp 4N	Rge 10E	County PARK
Diversion to Reservoir:	Dam					
Dam Height:	14.00					
Surface Area:	0.6 Acres					
Capacity:	1.70 Acre-	Feet				

PRINCIPLES OF LAW

1. The Montana Water Court has the authority to determine the extent of all water rights in the state as they existed prior to July 1, 1973. *Fellows v. Saylor*, 2016 MT 45, ¶ 25, 382 Mont. 298, 367 P.3d 732; §§ 85-2-233, -102(12), MCA. The purpose of the Water Court is to adjudicate rights to the use of water as they existed on July 1, 1973. *In re Clark Fork River*, 254 Mont. 11, 17, 833 P.3d 1120 (Mont. 1992).

2. "The Water Court is not bound by settlement agreements. Any settlement reached by the parties is subject to review and approval by the Water Court." Rule 17(a),
W.R.Adj.R; *In re Argabright*, 2014 Mont. Water LEXIS 9, 411 265 (December 12, 2014).

3. Where a claimant agrees to reduce or limit an element of a claim, "the water court does not need to determine whether the burden of proof has been met." Rule 17(c), W.R.Adj.R. The Court may accept the requested reduction or limitation "without further presentation of evidence." Rule 17(c), W.R.Adj.R.

4. Under Section 3-7-224, MCA the Water Court is directed to conduct hearings in the same manner as for other civil actions. The Water Court applies the Montana Rules of Civil Procedure (M.R.Civ.P.), the Montana Rules of Evidence (M.R.Evid.) and the Montana Uniform District Court Rules. This Master considers stipulations filed with the Court as "other paper" under M.R.Civ.P. Rule 11(b)(3) which certifies that to the best of the parties knowledge the factual contentions contained within the stipulation are supported by evidence. Add to this rule the recognition that "the heart of a judicial process is the development of the truth through conflict between parties with adverse

interests." United States of America (USDI) –Bureau of Indian Affairs)-General Objection to Basin 42B and 42C Preliminary Decrees, Case 42B-1, ¶ 3 at p. 14, (Order Denying Motion June 27, 2014). Considering these tenets, significant weight is given to the stipulation itself to establish the accurate historical use of the claim.

5. The generation of an implied claim is intended to address situations where a single statement of claim appears to contain more than one separate water right. Order Amending and Adopting Masters Report at 4, *Eliasson Ranch Company v. Rodegheiro*, Water Court Case 40A-115 (June 28, 2004) (hereinafter 40A-115 Order). In that regard, the purpose of generating an implied claim is to "separate two or more water rights into separate claims so that they are accurately identified for adjudication and administration." Id. at 5. Ordinarily, the DNRC requests Water Court authorization for an implied claim pursuant to Rule 6.IV of the Water Right Claim Examination Rules. *Id.* at 4. Although this rule applies to claims being examined prior to the issuance of a preliminary decree, the Water Court has routinely cited the rule when generating implied claims post-preliminary decree. *Id.*

6. When determining whether to grant an implied claim, the Court generally relies on the statement of claim and any material in the claim file that helps to clarify that information. 40A-115 Order at 4. As previously recognized by the Court, "[t]he most common indicator for an implied claim is an overstatement of some element of the claim on a single statement of claim form. *Id.* at 4-5.

CONCLUSIONS OF LAW

1. The modification of the max acre and point of diversion elements for claims 43A 13858-01, 43A 191676-00, 43A 191677-00, 43A 191678-00, 43A 191682-00, and 43A 191686-00 constitutes a reduction in the elements of the claims such that the Court may accept the requested reduction or limitation "without further presentation of evidence." Rule 17(c), W.R.Adj.R. The issue remarks have been resolved and should be removed from the claims.

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2. The information contained in CJA's *Motion to Modify Claims* along with the supporting evidence contained in the Westling declarations and the associated maps demonstrates by a preponderance of the evidence that the elements for the above-captioned claims should be modified as described in Finding of Fact No. 5. The requested modifications do not have the reasonable potential to adversely affect other water rights as they are corrections to the abstracts which do not make any change to the actual historical use of the claimed right on the ground. Notice by publication of these modifications is not required.

3. Implied claims should be generated from each of the above-captioned claims with the modifications discussed in Finding of Fact No. 8. The implied claims should possess the same elements as the parent claims, except as discussed in Finding of Fact No. 8.

4. The Objections by Claimant CJA and all issue remarks appearing on the claims should be considered resolved and the issue remarks removed from the claims.

5. Based on the statement made in its June 10, 2021, filing, 4 Diamond Ranch at Wallrock, LLC's NOIA should be considered resolved.

RECOMMENDATIONS

Based on the foregoing Findings of Fact and Conclusions of Law, this Master recommends that the Court adopt the changes as outlined above.

Post decree abstracts of the water right claims reflecting the recommended changes are attached to this Report.

Eugene C. White Water Master

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Service via Electronic Mail

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WATER COURT ABSTRACT OF WATER RIGHT CLAIM SHIELDS RIVER BASIN 43A

Water Right Number:	43A 13858-01 STATEMENT OF CLAIM
	Version: 3 POST DECREE
	Status: ACTIVE
Owners:	CJA PROPERTIES LLC 140 PEPPER LN WILSALL, MT 59086 9420
Priority Date:	JUNE 1, 1902
Type of Historical Right:	FILED
Purpose (Use):	IRRIGATION
Irrigation Type:	
*Flow Rate:	2.50 CFS
	THE WATER RIGHTS FOLLOWING THIS STATEMENT SHARE AN UNDIVIDED INTEREST IN A SINGLE WATER RIGHT FOR 2.50 CFS. 43A 13858-00, 43A 13858-01.
	THE PARTIES TO THIS UNDIVIDED INTEREST EACH USE THE FULL 2.50 CFS ON A ROTATIONAL BASIS PURSUANT TO A ROTATIONAL USE AGREEMENT.
	UNDIVIDED 1/4 INTEREST IN A SINGLE WATER RIGHT FOR 2.50 CFS.
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area:	4 - MODERATELY LOW
*Maximum Acres:	170.00
*Source Name:	PORCUPINE CREEK, MIDDLE FORK
Source Type:	SURFACE WATER
*Source Name:	PORCUPINE CREEK
Source Type:	SURFACE WATER
	WATER FROM THE MIDDLE FORK OF PORCUPINE CREEK MAY BE EXCHANGED FOR WATER DIVERTED FROM PORCUPINE CREEK.
*Point of Diversion and Mean	
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCounty1454N10EPARK
*Source Name:	PORCUPINE CREEK, MIDDLE FORK
*Period of Diversion:	MARCH 1 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: WESTLING-PEPPER DITCH

2	14	5	4N	10E	PARK
*Source Name:	PORCUPINE CREEK				
*Period of Diversion:	MARCH 1 TO OCTOBER 31				
Diversion Means:	HEADGATE				
Ditch Name:	WESTLING-PEPPER DITCH				
	POINT OF DIVERSION 01 IS L CREEK. POINT OF DIVERSIO POINT OF DIVERSIONS ARE SOURCES, AND ARE BOTH L WATER FROM ONE SOURCE OTHER SOURCE.	N 02 IS LOCATE ISED TO	LOCAT ED NEA SUPF	FED O AR TH PLY W	E CONFLUENCE OF THESE ATER TO THE SAME DITCH.
Pariad of Usa					

*Period of Use:

MARCH 1 TO OCTOBER 31

*Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	Sec.	<u>Twp</u>	<u>Rge</u> <u>County</u>
1	3.00	1		6	4N	10E PARK
2	2.00	2		6	4N	10E PARK
3	10.00	5		5	4N	10E PARK
4	20.00	6		6	4N	10E PARK
5	20.00	7		6	4N	10E PARK
6	30.00	8		6	4N	10E PARK
7	35.00	9		6	4N	10E PARK
8	15.00	11		5	4N	10E PARK
9	35.00	12		5	4N	10E PARK
Total:	170.00					

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.

13858-01	191676-00	191677-00	191678-00	191680-00	191681-00
191682-00	191685-00	191686-00	191948-00		

THIS CLAIM IS SUBJECT TO A PRIVATE AGREEMENT IN THE STIPULATION FILED 4/28/2000 LOCATED IN CASE FILE 43A-53.

WATER COURT ABSTRACT OF WATER RIGHT CLAIM SHIELDS RIVER BASIN 43A

Water Right Number:	43A 191676-00 STATEMENT OF CLAIM
	Version: 3 POST DECREE
	Status: ACTIVE
Owners:	CJA PROPERTIES LLC 140 PEPPER LN WILSALL, MT 59086 9420
Priority Date:	JUNE 1, 1892
Type of Historical Righ	: DECREED
Purpose (Use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	1.13 CFS
Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area:	4 - MODERATELY LOW
Maximum Acres:	183.00
Source Name:	DRY GULCH CREEK
Source Type:	SURFACE WATER
Point of Diversion and	
Fount of Diversion and	leans of Diversion:
ID 1	Teans of Diversion: <u>Govt Lot</u> <u>Qtr Sec Sec Twp Rge County</u> 11 5 4N 10E PARK
ID	Govt LotQtr SecSecTwpRgeCounty1154N10EPARK
ID 1	Govt LotQtr SecSecTwpRgeCounty1154N10EPARK
1 1 *Period of Diversio Diversion Means: Ditch Name:	Govt Lot Qtr Sec Sec Twp Rge County 11 5 4N 10E PARK a: APRIL 1 TO OCTOBER 31 HEADGATE RALPH-PEPPER DITCH Image: County of the second sec
ID 1 *Period of Diversio Diversion Means: Ditch Name: 2	Govt Lot 11Qtr Sec 5Sec 4NTwp 10ERge PARKCounty PARKa:APRIL 1 TO OCTOBER 31 HEADGATE RALPH-PEPPER DITCH 1154N10EPARK
1 *Period of Diversion Diversion Means: Ditch Name: 2 *Period of Diversion	Govt Lot 11Qtr Sec 5Sec 4NTwp 10ERge PARKCounty PARKa:APRIL 1 TO OCTOBER 31
1 *Period of Diversion Diversion Means: Ditch Name: 2 *Period of Diversion Diversion Means:	Govt Lot 11Qtr Sec 5Sec 4NTwp 10ERge PARKCounty PARKa:APRIL 1 TO OCTOBER 31 HEADGATE 11
1 *Period of Diversion Diversion Means: Ditch Name: 2 *Period of Diversion	Govt Lot 11Qtr Sec 5Sec 4NTwp 10ERge PARKCounty PARKa:APRIL 1 TO OCTOBER 31 HEADGATE 1154N10EPARKa:APRIL 1 TO OCTOBER 31 HEADGATE WESTLING-PEPPER DITCH54N10EPARK
1 *Period of Diversion Diversion Means: Ditch Name: 2 *Period of Diversion Diversion Means:	Govt Lot 11Qtr Sec 5Sec 4NTwp 10ERge PARKCounty PARKa:APRIL 1 TO OCTOBER 31 HEADGATE 11
1 *Period of Diversion Diversion Means: Ditch Name: 2 *Period of Diversion Diversion Means:	Govt Lot 11Qtr Sec 5Sec 4NTwp 10ERge PARKCounty PARKa:APRIL 1 TO OCTOBER 31 HEADGATE RALPH-PEPPER DITCH 1154N10EPARKa:APRIL 1 TO OCTOBER 31 HEADGATE WESTLING-PEPPER DITCH POINT OF DIVERSION 01 IS LOCATED ON DRY GULCH. POINT OF DIVERSION 02 IS LOCATED AT THE CONFLUENCE OF PORCUPINE CREEK AND DRY GULCH. THESE SOURCES ARE BOTH USED TO SUPPLY WATER TO THE SAME DITCH. WATER FROM ONE SOURCE MAY BE EXCHANGED FOR WATER FROM THE
1 *Period of Diversion Diversion Means: Ditch Name: 2 *Period of Diversion Diversion Means: Ditch Name:	Govt Lot 11Qtr Sec 5Sec 5Twp 4NRec 10ECounty PARKa:APRIL 1 TO OCTOBER 31 HEADGATE RALPH-PEPPER DITCH 1154N10EPARKa:APRIL 1 TO OCTOBER 31 HEADGATE54N10EPARKb:APRIL 1 TO OCTOBER 31 HEADGATE54N10EPARKb:APRIL 1 TO OCTOBER 31 HEADGATE54N10EPARKb:APRIL 1 TO OCTOBER 31 HEADGATE5555b:APRIL 1 TO OCTOBER 505555b:APRIL 1 TO OCTOBER 505555
ID 1 *Period of Diversion Diversion Means: Ditch Name: 2 *Period of Diversion Diversion Means: Ditch Name:	Govt Lot 11Qtr Sec 5Sec 4NTwp 10EReg PARKCounty PARKa:APRIL 1 TO OCTOBER 31 HEADGATE RALPH-PEPPER DITCH 1154N10EPARKa:APRIL 1 TO OCTOBER 31 HEADGATE WESTLING-PEPPER DITCH DITCH54N10EPARKb:APRIL 1 TO OCTOBER 31 HEADGATE WESTLING-PEPPER DITCH POINT OF DIVERSION 01 IS LOCATED ON DRY GULCH. POINT OF DIVERSION 02 IS LOCATED AT THE CONFLUENCE OF PORCUPINE CREEK AND DRY GULCH. THESE SOURCES ARE BOTH USED TO SUPPLY WATER TO THE SAME DITCH. WATER FROM ONE SOURCE MAY BE EXCHANGED FOR WATER FROM THE OTHER SOURCE. APRIL 1 TO OCTOBER 31ArresGovt LotQtr SecSecTwpRgeCounty
ID 1 *Period of Diversion Diversion Means: Ditch Name: 2 *Period of Diversion Diversion Means: Diversion Means: Ditch Name:	Govt Lot 11Qtr Sec 5Sec 5Twp 4NRec 10ECounty PARKa:APRIL 1 TO OCTOBER 31 HEADGATE RALPH-PEPPER DITCH 1154N10EPARKa:APRIL 1 TO OCTOBER 31 HEADGATE WESTLING-PEPPER DITCH VESTLING-PEPPER DITCH54N10EPARKb:APRIL 1 TO OCTOBER 31 HEADGATE WESTLING-PEPPER DITCH54N10EPARKb:APRIL 1 TO OCTOBER 31 HEADGATE WESTLING-PEPPER DITCH54N10EPARKb:APRIL 1 TO OCTOBER 31 HEADGATE WESTLING-PEPPER DITCH5VIIII COULD AND AND AND AND AND AND AND AND AND AN
ID 1 *Period of Diversion Diversion Means: Ditch Name: 2 *Period of Diversion Diversion Means: Diversion Means: Ditch Name: *Period of Use: Place of Use: 1 2	Govt Lot 11Qtr Sec 5Sec 4NTwp 10EReg PARKCounty PARKa:APRIL 1 TO OCTOBER 31 HEADGATE RALPH-PEPPER DITCH 1154N10EPARKa:APRIL 1 TO OCTOBER 31 HEADGATE WESTLING-PEPPER DITCH DITCH54N10EPARKb:APRIL 1 TO OCTOBER 31 HEADGATE WESTLING-PEPPER DITCH POINT OF DIVERSION 01 IS LOCATED ON DRY GULCH. POINT OF DIVERSION 02 IS LOCATED AT THE CONFLUENCE OF PORCUPINE CREEK AND DRY GULCH. THESE SOURCES ARE BOTH USED TO SUPPLY WATER TO THE SAME DITCH. WATER FROM ONE SOURCE MAY BE EXCHANGED FOR WATER FROM THE OTHER SOURCE. APRIL 1 TO OCTOBER 31ArresGovt LotQtr SecSecTwpRgeCounty

	00.00	-				
4	20.00	1	6	4N	10E PARK	
5	30.00	8	6	4N	10E PARK	
6	30.00	9	6	4N	10E PARK	
7	30.00	5	5	4N	10E PARK	
8	3.00	4	5	4N	10E PARK	
9	10.00	11	5	4N	10E PARK	
10	10.00	6	5	4N	10E PARK	
11	25.00	12	5	4N	10E PARK	
Total:	183.00					

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.

13858-01	191676-00	191677-00	191678-00	191680-00	191681-00
191682-00	191685-00	191686-00	191948-00		

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WATER COURT ABSTRACT OF WATER RIGHT CLAIM SHIELDS RIVER BASIN 43A

Water Right Number:	4	43A 191677-0	D STATEMEN	T OF C	LAIM		
U	,	Version: 3	POST DECRE	E			
		St	atus: ACTIVE				
Owners:		CJA PROPERT 140 PEPPER L WILSALL, MT (TIES LLC N				
Priority Date:	1	MAY 15, 1901					
Type of Historical Right	ht: [DECREED					
Purpose (Use):	I	RRIGATION					
Irrigation Type:	F	FLOOD					
Flow Rate:		1.00 CFS					
Volume:		-	DLUME OF THIS DRICAL AND BE		-	-	ALL NOT EXCEED THE AMOUNT
Climatic Area:	2	4 - MODERATE	ELY LOW				
Maximum Acres:		170.00					
Source Name:	F	PORCUPINE C	REEK				
Source Type:		SURFACE	WATER				
Point of Diversion and	Means o	of Diversion:					
<u>ID</u> 1		<u>Govt Lot</u> 11	<u>Qtr Sec</u>	<u>Sec</u> 5	<u>Twp</u> 4N		<u>County</u> PARK
Period of Diversion	on: /	APRIL 15 TO C	OCTOBER 31				
Diversion Means	: 1	HEADGATE					
Ditch Name:	١	WESTLING DI	ГСН				
2		14		5	4N	10E	PARK
Period of Diversion	on: /	APRIL 15 TO C	OCTOBER 31				
Diversion Means		HEADGATE					
Ditch Name:		WESTLING-PE					
Period of Use:	ŀ	APRIL 15 TO C	OCTOBER 31				
Place of Use:							
<u>ID</u> 1	<u>Acres</u> 3.00	<u>Govt Lot</u> 1	<u>Qtr Sec</u>	<u>Sec</u> 6	<u>Twp</u> 4N	-	<u>County</u> PARK
2	3.00 2.00	2		6	4N 4N		PARK
3	20.00	6		6	4N		PARK
4	20.00	7		6	4N		PARK
5	30.00	8		6	4N	10E	PARK
6	35.00	9		6	4N	10E	PARK

5

4N

10E PARK

5

10.00

8	15.00	11	5	4N	10E PARK
9	35.00	12	5	4N	10E PARK
Total:	170.00				

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.

13858-01	191676-00	191677-00	191678-00	191680-00	191681-00
191682-00	191685-00	191686-00	191948-00		

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10.00

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WATER COURT ABSTRACT OF WATER RIGHT CLAIM SHIELDS RIVER BASIN 43A

Water Right N	umber:		-00 STATEMEN		LAIM		
			3 POST DECRI	EE			
		ł	Status: ACTIVE				
Owners:		CJA PROPER 140 PEPPER WILSALL, MT	R LN				
Priority Date:		JULY 1, 1890)				
Type of Histor	ical Right:	DECREED					
Purpose (Use):		IRRIGATION					
Irrigation	n Type:	FLOOD					
Flow Rate:		336.60 GPM					
Volume:			VOLUME OF THI TORICAL AND BE				ALL NOT EXCEED THE AMOUNT
Climatic	Area:	4 - MODERA	TELY LOW				
Maximum Acr	es:	170.00					
Source Name:		PORCUPINE	CREEK				
Source T	ype:	SURFAC	E WATER				
D.'	ion and Moona	of D:					
Point of Divers	sion and wreans	of Diversion:					
ID 1	sion and means	or Diversion: Govt Lot 11	<u>Qtr Sec</u>	<u>Sec</u> 5	<u>Twp</u> 4N		<u>County</u> PARK
<u>ID</u> 1	f Diversion:	<u>Govt Lot</u> 11	<u>Qtr Sec</u> OCTOBER 31		-		
<u>ID</u> 1	Diversion:	<u>Govt Lot</u> 11	-		-		
ID 1 Period of	f Diversion: 1 Means:	<u>Govt Lot</u> 11 APRIL 15 TO HEADGATE	-		-		
ID 1 Period of Diversion Ditch Na 2	f Diversion: 1 Means: me:	<u>Govt Lot</u> 11 APRIL 15 TO HEADGATE	OCTOBER 31		-	10E	
ID 1 Period of Diversion Ditch Na 2	f Diversion: 1 Means:	Govt Lot 11 APRIL 15 TO HEADGATE WESTLING-F 14 APRIL 15 TO	OCTOBER 31	5	4Ñ	10E	PARK
1 1 Period of Diversion Ditch Na 2 Period of Diversion	f Diversion: n Means: me: f Diversion: n Means:	Govt Lot 11 APRIL 15 TO HEADGATE WESTLING-F 14	OCTOBER 31	5	4Ñ	10E	PARK
1 1 Period of Diversion Ditch Na 2 Period of Diversion Ditch Na	f Diversion: n Means: me: f Diversion: n Means:	Govt Lot 11 APRIL 15 TO HEADGATE WESTLING-F 14 APRIL 15 TO HEADGATE WESTLING-F	O OCTOBER 31 PEPPER DITCH O OCTOBER 31 PEPPER DITCH	5	4Ñ	10E	PARK
1 1 Period of Diversion Ditch Na 2 Period of Diversion	f Diversion: n Means: me: f Diversion: n Means:	Govt Lot 11 APRIL 15 TO HEADGATE WESTLING-F 14 APRIL 15 TO HEADGATE WESTLING-F	OCTOBER 31 PEPPER DITCH	5	4Ñ	10E	PARK
1 1 Period of Diversion Ditch Na 2 Period of Diversion Ditch Na	f Diversion: n Means: me: f Diversion: n Means:	Govt Lot 11 APRIL 15 TO HEADGATE WESTLING-F 4 APRIL 15 TO HEADGATE WESTLING-F APRIL 15 TO	O OCTOBER 31 PEPPER DITCH O OCTOBER 31 PEPPER DITCH O OCTOBER 31	5	4Ñ 4N	10Ē	PARK
ID 1 Period of Diversion Ditch Na 2 Period of Diversion Ditch Na Period of Period of Use: Place of Use: ID	f Diversion: n Means: me: f Diversion: n Means: me: <u>Acres</u>	Govt Lot 11 APRIL 15 TO HEADGATE WESTLING-F 14 APRIL 15 TO HEADGATE WESTLING-F APRIL 15 TO <u>Govt Lot</u>	O OCTOBER 31 PEPPER DITCH O OCTOBER 31 PEPPER DITCH	5 5 <u>Sec</u>	4Ñ 4N <u>Twp</u>	10E 10E <u>Rge</u>	PARK PARK
ID 1 Period of Diversion Ditch Na 2 Period of Diversion Ditch Na Period of Diversion Ditch Na Period of Use: Place of Use: ID 1	f Diversion: n Means: me: f Diversion: n Means: me: <u>Acres</u> 3.00	Govt Lot 11 APRIL 15 TO HEADGATE WESTLING-F 14 APRIL 15 TO HEADGATE WESTLING-F APRIL 15 TO <u>Govt Lot</u> 1	O OCTOBER 31 PEPPER DITCH O OCTOBER 31 PEPPER DITCH O OCTOBER 31	5 5 <u>Sec</u> 6	4Ñ 4N <u>Twp</u> 4N	10Ē 10Ē <u>Rge</u> 10Ē	PARK PARK
ID 1 Period of Diversion Ditch Na 2 Period of Diversion Ditch Na Period of Period of Use: Place of Use: ID	f Diversion: n Means: me: f Diversion: n Means: me: <u>Acres</u>	Govt Lot 11 APRIL 15 TO HEADGATE WESTLING-F 14 APRIL 15 TO HEADGATE WESTLING-F APRIL 15 TO <u>Govt Lot</u> 1 2	O OCTOBER 31 PEPPER DITCH O OCTOBER 31 PEPPER DITCH O OCTOBER 31	5 5 <u>Sec</u>	4Ñ 4N <u>Twp</u>	10E 10E <u>Rge</u> 10E 10E	PARK PARK
ID1Period ofDiversionDitch Na2Period ofDiversionDitch NaPeriod of Use:Place of Use:ID12	f Diversion: n Means: me: f Diversion: n Means: me: <u>Acres</u> 3.00 2.00	Govt Lot 11 APRIL 15 TO HEADGATE WESTLING-F 14 APRIL 15 TO HEADGATE WESTLING-F APRIL 15 TO <u>Govt Lot</u> 1 2 6	O OCTOBER 31 PEPPER DITCH O OCTOBER 31 PEPPER DITCH O OCTOBER 31	5 5 <u>Sec</u> 6 6	4N 4N <u>Twp</u> 4N 4N	10E 10E 10E 10E 10E 10E	PARK PARK PARK PARK PARK
ID1Period ofDiversionDitch Na2Period ofDiversionDitch NaPeriod of Use:Place of Use:123	f Diversion: n Means: me: f Diversion: n Means: me: <u>Acres</u> 3.00 2.00 20.00	Govt Lot 11 APRIL 15 TO HEADGATE WESTLING-F 4 APRIL 15 TO HEADGATE WESTLING-F APRIL 15 TO <u>Govt Lot</u> 1 2 6 7	O OCTOBER 31 PEPPER DITCH O OCTOBER 31 PEPPER DITCH O OCTOBER 31	5 5 <u>Sec</u> 6 6 6	4N 4N <u>Twp</u> 4N 4N 4N	10E 10E 10E 10E 10E 10E 10E	PARK PARK PARK PARK PARK PARK

5

4N

10E PARK

8	15.00	11	5	4N	10E PARK
9	35.00	12	5	4N	10E PARK
Total:	170.00				

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.

13858-01	191676-00	191677-00	191678-00	191680-00	191681-00
191682-00	191685-00	191686-00	191948-00		

WATER COURT ABSTRACT OF WATER RIGHT CLAIM SHIELDS RIVER BASIN 43A

Water Right Number:	43A 191681	-00 S	TATEMEN	T OF CL	_AIM		
0	Version:	3 PO	ST DECRE	E			
		Status:	ACTIVE				
Owners:	CJA PROPE 140 PEPPEF WILSALL, M	r LN					
Priority Date:	MAY 20, 190	2					
Type of Historical Right:	DECREED						
Purpose (Use):	IRRIGATION	ļ					
Irrigation Type:	FLOOD						
Flow Rate:	3.38 CFS						
Volume:	THE TOTAL PUT TO HIS						ALL NOT EXCEED THE AMOUNT
Climatic Area:	4 - MODERA	TELY L	LOW				
Maximum Acres:	346.00						
Source Name:	SHIELDS RI	VER, S	OUTH FOR	RΚ			
Source Type:	SURFAC	E WAT	ER				
Point of Diversion and Mean							
<u>ID</u>	<u>Govt Lot</u>		<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>		County
1	4		NWNW	2	4N	10E	PARK
				2	4N	10E	PARK
1 Period of Diversion: Diversion Means:	4 APRIL 1 TO HEADGATE	остое	3ER 31	2	4N	10E	PARK
1 Period of Diversion: Diversion Means: Ditch Name:	4 APRIL 1 TO HEADGATE VANDYCK-F	OCTOE PEPPEF	BER 31 R DITCH			-	
1 Period of Diversion: Diversion Means:	4 APRIL 1 TO HEADGATE VANDYCK-F ONSTREAM	OCTOE PEPPEF	BER 31 R DITCH	Reservoi	r Name:	DRY	GULCH RESERVOIR
1 Period of Diversion: Diversion Means: Ditch Name:	4 APRIL 1 TO HEADGATE VANDYCK-F	OCTOE PEPPEF	BER 31 R DITCH			DRY <u>Rge</u>	
1 Period of Diversion: Diversion Means: Ditch Name:	4 APRIL 1 TO HEADGATE VANDYCK-F ONSTREAM <u>Govt Lot</u> 8	OCTOE	BER 31 R DITCH	Reservoi <u>Sec</u>	r Name: <u>Twp</u>	DRY <u>Rge</u>	GULCH RESERVOIR <u>County</u>
1 Period of Diversion: Diversion Means: Ditch Name: Reservoir:	4 APRIL 1 TO HEADGATE VANDYCK-F ONSTREAM <u>Govt Lot</u> 8	OCTOE	BER 31 R DITCH	Reservoi <u>Sec</u>	r Name: <u>Twp</u>	DRY <u>Rge</u>	GULCH RESERVOIR <u>County</u>
1 Period of Diversion: Diversion Means: Ditch Name: Reservoir: Diversion to Reserve	4 APRIL 1 TO HEADGATE VANDYCK-F ONSTREAM <u>Govt Lot</u> 8 pir: DIVERSIC	OCTOE PEPPEF N # 1	BER 31 R DITCH	Reservoi <u>Sec</u>	r Name: <u>Twp</u>	DRY <u>Rge</u>	GULCH RESERVOIR <u>County</u>
1 Period of Diversion: Diversion Means: Ditch Name: Reservoir: Diversion to Reserve Dam Height:	4 APRIL 1 TO HEADGATE VANDYCK-F ONSTREAM <u>Govt Lot</u> 8 bir: DIVERSIC 25.00 FEET	OCTOE PEPPEF	BER 31 R DITCH <u>Qtr Sec</u>	Reservoi <u>Sec</u>	r Name: <u>Twp</u>	DRY <u>Rge</u>	GULCH RESERVOIR <u>County</u>
1 Period of Diversion: Diversion Means: Ditch Name: Reservoir: Diversion to Reserve Dam Height: Surface Area:	4 APRIL 1 TO HEADGATE VANDYCK-F ONSTREAM <u>Govt Lot</u> 8 bir: DIVERSIC 25.00 FEET 6.00 ACRES	OCTOE PEPPEF N # 1 E-FEET	BER 31 R DITCH <u>Qtr Sec</u>	Reservoi <u>Sec</u> 5	r Name: <u>Twp</u> 4N	DRY <u>Rge</u> 10E	GULCH RESERVOIR <u>County</u>
1 Period of Diversion: Diversion Means: Ditch Name: Reservoir: Diversion to Reserve Dam Height: Surface Area: Capacity:	4 APRIL 1 TO HEADGATE VANDYCK-F ONSTREAM <u>Govt Lot</u> 8 oir: DIVERSIC 25.00 FEET 6.00 ACRES 120.00 ACRI	OCTOE PEPPEF N # 1 E-FEET	BER 31 R DITCH <u>Qtr Sec</u>	Reservoi <u>Sec</u> 5	r Name: <u>Twp</u> 4N	DRY <u>Rge</u> 10E KEV <u>Rge</u>	´ GULCH RESERVOIR <u>County</u> РАКК
1 Period of Diversion: Diversion Means: Ditch Name: Reservoir: Diversion to Reserve Dam Height: Surface Area: Capacity:	4 APRIL 1 TO HEADGATE VANDYCK-F ONSTREAM <u>Govt Lot</u> 8 oir: DIVERSIC 25.00 FEET 6.00 ACRES 120.00 ACRI 0NSTREAM <u>Govt Lot</u>	OCTOE PEPPEF N # 1 E-FEET N	BER 31 R DITCH <u>Qtr Sec</u>	Reservoi <u>Sec</u> 5 Reservoi <u>Sec</u>	r Name: <u>Twp</u> 4N r Name: <u>Twp</u>	DRY <u>Rge</u> 10E KEV <u>Rge</u>	GULCH RESERVOIR <u>County</u> PARK IN'S POND <u>County</u>
1 Period of Diversion: Diversion Means: Ditch Name: Reservoir: Diversion to Reserve Dam Height: Surface Area: Capacity: Reservoir:	4 APRIL 1 TO HEADGATE VANDYCK-F ONSTREAM <u>Govt Lot</u> 8 oir: DIVERSIC 25.00 FEET 6.00 ACRES 120.00 ACRI 0NSTREAM <u>Govt Lot</u>	OCTOE PEPPEF N # 1 E-FEET N	BER 31 R DITCH <u>Qtr Sec</u>	Reservoi <u>Sec</u> 5 Reservoi <u>Sec</u>	r Name: <u>Twp</u> 4N r Name: <u>Twp</u>	DRY <u>Rge</u> 10E KEV <u>Rge</u>	GULCH RESERVOIR <u>County</u> PARK IN'S POND <u>County</u>

Capacity: 1.70 ACRE-FEET

Period of Use:

APRIL 1 TO OCTOBER 31

Place of Use:

ID	Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1	3.00	1		6	4N	10E	PARK
2	2.00	2		6	4N	10E	PARK
3	20.00	6		6	4N	10E	PARK
4	20.00	7		6	4N	10E	PARK
5	30.00	8		6	4N	10E	PARK
6	30.00	9		6	4N	10E	PARK
7	51.00		E2	5	4N	10E	PARK
8	30.00	5		5	4N	10E	PARK
9	10.00	11		5	4N	10E	PARK
10	25.00	12		5	4N	10E	PARK
11	10.00	6		5	4N	10E	PARK
12	3.00	4		5	4N	10E	PARK
13	2.00	8		5	4N	10E	PARK
14	30.00	9		5	4N	10E	PARK
15	15.00	10		5	4N	10E	PARK
16	37.00	12		4	4N	10E	PARK
17	28.00	5		4	4N	10E	PARK
Total:	346.00						

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.

13858-01	191676-00	191677-00	191678-00	191680-00	191681-00
191682-00	191685-00	191686-00	191948-00		

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20.00

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WATER COURT ABSTRACT OF WATER RIGHT CLAIM SHIELDS RIVER BASIN 43A

Water Right Numbe	er:	43A 191682-	·00	STATEMEN		LAIM		
		Version:	3	POST DECRE	E			
			Stat	us: ACTIVE				
Owners:		CJA PROPE 140 PEPPER WILSALL, M	LN					
Priority Date:		JUNE 1, 1890)					
Type of Historical R	Right:	DECREED						
Purpose (Use):		IRRIGATION						
Irrigation Typ	e:	FLOOD						
Flow Rate:		2.13 CFS						
Volume:				UME OF THIS				ALL NOT EXCEED THE AMOUNT
Climatic Area	:	4 - MODERA	TEL	Y LOW				
Maximum Acres:		170.00						
Source Name:		PORCUPINE	CR	EEK				
Source Type:		SURFAC	ΞW	ATER				
Point of Diversion a	nd Means	of Diversion:						
<u>ID</u> 1		<u>Govt Lot</u> 11		<u>Qtr Sec</u>	<u>Sec</u> 5	<u>Twp</u> 4N		<u>County</u> PARK
*Period of Dive	ersion:	APRIL 1 TO	СТ	OBER 31				
Diversion Mea	ans:	HEADGATE						
Ditch Name:		WESTLING-F	PEP	PER DITCH				
2		14			5	4N	10E	PARK
*Period of Dive		APRIL 1 TO (СТ	OBER 31				
Diversion Mea	nns:	HEADGATE						
Ditch Name:		WESTLING-F						
*Period of Use:		APRIL 1 TO (СТ	OBER 31				
Place of Use:					G	T	D	
<u>ID</u> 1	<u>Acres</u> 10.00			<u>Qtr Sec</u>	<u>Sec</u> 5	<u>Twp</u> 4N	-	<u>County</u> PARK
2	15.00				5	4N		PARK
3	35.00				5	4N		PARK
4	3.00	1			6	4N	10E	PARK
5	2.00				6	4N		PARK
6	20.00	6			6	4N	10E	PARK

6

4N

10E PARK

8	30.00	8	6	4N	10E PARK
9	35.00	9	6	4N	10E PARK
Total:	170.00				

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.

13858-01	191676-00	191677-00	191678-00	191680-00	191681-00
191682-00	191685-00	191686-00	191948-00		

WATER COURT ABSTRACT OF WATER RIGHT CLAIM SHIELDS RIVER BASIN 43A

Water Right Number:	43A 19168	6-00 STATEME	NT OF C	LAIM			
	Version:	3 POST DECF	REE				
		Status: ACTIVE					
Owners:	140 PEPPE	ERTIES LLC R LN MT 59086 9420					
Priority Date:	NOVEMBE	R 24, 1954					
Type of Historical Right:	FILED						
Purpose (Use):	IRRIGATIO	N					
Irrigation Type:	FLOOD						
*Flow Rate:	NO FLOW I RESERVOI		DECREE	ED FOR	THIS	USE FROM THIS ONSTREAM	
Volume:	120.00 AC-	FT					
Climatic Area:	4 - MODER	ATELY LOW					
Maximum Acres:	183.00						
Source Name:	DRY GULC	H CREEK					
Source Type:	SURFA	CE WATER					
Point of Diversion and Means of Diversion:							
<u>ID</u> 1	<u>Govt Lo</u>	o <u>t Qtr Sec</u> 8	<u>Sec</u> 5	<u>Twp</u> 4N		<u>County</u> PARK	
<u>ID</u>							
<u>ID</u> 1		8					
1 1 Period of Diversion: Diversion Means: Ditch Name:	APRIL 1 TC DAM RALPH-PEI	8 O OCTOBER 31 PPER DITCH	5	4N	10E	PARK	
1 Period of Diversion: Diversion Means: Ditch Name: 2 - SECONDARY	APRIL 1 TC DAM RALPH-PEI 1	8 O OCTOBER 31 PPER DITCH 1			10E		
1 Period of Diversion: Diversion Means: Ditch Name: 2 - SECONDARY Period of Diversion:	APRIL 1 TC DAM RALPH-PEI 1 APRIL 1 TC	8 O OCTOBER 31 PPER DITCH	5	4N	10E	PARK	
1 Period of Diversion: Diversion Means: Ditch Name: 2 - SECONDARY Period of Diversion: Diversion Means:	APRIL 1 TC DAM RALPH-PEI 1 APRIL 1 TC PIPELINE	8 O OCTOBER 31 PPER DITCH 1 O OCTOBER 31	5	4N	10E	PARK	
1 Period of Diversion: Diversion Means: Ditch Name: 2 - SECONDARY Period of Diversion: Diversion Means: Ditch Name:	APRIL 1 TC DAM RALPH-PEI 1 APRIL 1 TC PIPELINE WESTLING	8 O OCTOBER 31 PPER DITCH 1 O OCTOBER 31 -PEPPER DITCH	5	4N 4N	10E	PARK	
1 Period of Diversion: Diversion Means: Ditch Name: 2 - SECONDARY Period of Diversion: Diversion Means: Ditch Name: 3 - SECONDARY	APRIL 1 TC DAM RALPH-PEI 1 APRIL 1 TC PIPELINE WESTLING 1	8 O OCTOBER 31 PPER DITCH 1 O OCTOBER 31 -PEPPER DITCH 4	5	4N	10E	PARK	
1 Period of Diversion: Diversion Means: Ditch Name: 2 - SECONDARY Period of Diversion: Diversion Means: Ditch Name: 3 - SECONDARY Period of Diversion:	APRIL 1 TC DAM RALPH-PEI 1 APRIL 1 TC PIPELINE WESTLING 1 APRIL 1 TC	8 O OCTOBER 31 PPER DITCH 1 O OCTOBER 31 -PEPPER DITCH	5	4N 4N	10E	PARK	
1 Period of Diversion: Diversion Means: Ditch Name: 2 - SECONDARY Period of Diversion: Diversion Means: 3 - SECONDARY Period of Diversion: Diversion Means:	APRIL 1 TC DAM RALPH-PEI 1 APRIL 1 TC PIPELINE WESTLING 1 APRIL 1 TC PIPELINE	8 O OCTOBER 31 PPER DITCH 1 O OCTOBER 31 -PEPPER DITCH 4 O OCTOBER 31	5	4N 4N	10E	PARK	
1 Period of Diversion: Diversion Means: Ditch Name: 2 - SECONDARY Period of Diversion: Diversion Means: Ditch Name: 3 - SECONDARY Period of Diversion:	APRIL 1 TC DAM RALPH-PEI 1 APRIL 1 TC PIPELINE WESTLING 1 APRIL 1 TC PIPELINE	8 9 OCTOBER 31 PPER DITCH 1 9 OCTOBER 31 -PEPPER DITCH 4 9 OCTOBER 31 -PEPPER DITCH	5 5	4N 4N 4N	10E 10E	PARK	
1 Period of Diversion: Diversion Means: Ditch Name: 2 - SECONDARY Period of Diversion: Diversion Means: Ditch Name: 3 - SECONDARY Period of Diversion: Diversion Means: Diversion Means:	APRIL 1 TC DAM RALPH-PEI 1 APRIL 1 TC PIPELINE WESTLING NPELINE WESTLING	8 O OCTOBER 31 PPER DITCH 1 O OCTOBER 31 -PEPPER DITCH 4 O OCTOBER 31 -PEPPER DITCH	5 5 Reservo	4N 4N 4N	10E 10E 10E 10E : DRY <u>Rge</u>	PARK	

Diversion to Reservoir: DIVERSION # 1

Dam Height: 25.00 FEET

Sı	urface Area:		6.00 ACRES					
C	apacity:		120.00 ACRE	-FEET				
				SERVOIR INFOR M FILE FOR ADD				FILED WITH THE WATER COURT R DATA.
Period of	Use:		APRIL 1 TO C	OCTOBER 31				
Place of U	se:							
ID		Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		3.00	1		6	4N	10E	PARK
2		2.00	2		6	4N	10E	PARK
3		20.00	6		6	4N	10E	PARK
4		20.00	7		6	4N	10E	PARK
5		30.00	8		6	4N	10E	PARK
6		30.00	9		6	4N	10E	PARK
7		30.00	5		5	4N	10E	PARK
8		10.00	11		5	4N	10E	PARK
9		25.00	12		5	4N	10E	PARK
10		10.00	6		5	4N	10E	PARK

5

4N

10E PARK

Remarks:

11

Total:

3.00

183.00

4

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.

13858-01	191676-00	191677-00	191678-00	191680-00	191681-00
191682-00	191685-00	191686-00	191948-00		

WATER COURT **ABSTRACT OF WATER RIGHT CLAIM** SHIELDS RIVER **BASIN 43A**

Water Right Number:	43A 191948-0	0 STATEMEN	T OF C	LAIM		
	Version: 3	POST DECRE	E			
	St	atus: ACTIVE				
Owners:	CJA PROPERT 140 PEPPER L WILSALL, MT {	.N				
Priority Date:	MAY 20, 1915					
Type of Historical Right:	USE					
Purpose (Use):	IRRIGATION					
Irrigation Type:	FLOOD					
Flow Rate:	3.00 CFS					
Volume:		OLUME OF THIS DRICAL AND BE				ALL NOT EXCEED THE AMOUNT
Climatic Area:	4 - MODERATE	ELY LOW				
Maximum Acres:	201.00					
Source Name:	MEADOW CRE	EK				
Source Type:	SURFACE	WATER				
Point of Diversion and Mean	s of Diversion:					
<u>ID</u> 1	<u>Govt Lot</u> 11	<u>Qtr Sec</u>	<u>Sec</u> 5	<u>Twp</u> 4N		<u>County</u> PARK
		-		-		
1	11	-		-		
1 *Period of Diversion: Diversion Means: Ditch Name:	11 APRIL 1 TO OO HEADGATE WESTLING-PE	CTOBER 31	5	4Ñ	10E	PARK
1 *Period of Diversion: Diversion Means: Ditch Name: 2	11 APRIL 1 TO OC HEADGATE WESTLING-PE 13	CTOBER 31		-	10E	
1 *Period of Diversion: Diversion Means: Ditch Name: 2 *Period of Diversion:	11 APRIL 1 TO OC HEADGATE WESTLING-PE 13 APRIL 1 TO OC	CTOBER 31	5	4Ñ	10E	PARK
1 *Period of Diversion: Diversion Means: Ditch Name: 2 *Period of Diversion: Diversion Means:	11 APRIL 1 TO OC HEADGATE WESTLING-PE 13	CTOBER 31 PPER DITCH	5	4Ñ 4N	10Ē 10Ē	PARK
1 *Period of Diversion: Diversion Means: Ditch Name: 2 *Period of Diversion: Diversion Means: 3	11 APRIL 1 TO OC HEADGATE WESTLING-PE 13 APRIL 1 TO OC HEADGATE	CTOBER 31 PPER DITCH CTOBER 31 NENWSW	5	4Ñ 4N	10Ē 10Ē	PARK
1 *Period of Diversion: Diversion Means: Ditch Name: 2 *Period of Diversion: Diversion Means: 3 Period of Diversion:	11 APRIL 1 TO OC HEADGATE WESTLING-PE 13 APRIL 1 TO OC HEADGATE	CTOBER 31 PPER DITCH CTOBER 31 NENWSW	5	4Ñ 4N	10Ē 10Ē	PARK
1 *Period of Diversion: Diversion Means: Ditch Name: 2 *Period of Diversion: Diversion Means: 3	11 APRIL 1 TO OC HEADGATE WESTLING-PE 13 APRIL 1 TO OC HEADGATE	CTOBER 31 PPER DITCH CTOBER 31 NENWSW CTOBER 31	5	4Ñ 4N	10Ē 10Ē	PARK
1 *Period of Diversion: Diversion Means: Ditch Name: 2 *Period of Diversion: Diversion Means: 3 Period of Diversion: Diversion Means:	11 APRIL 1 TO OC HEADGATE WESTLING-PE 13 APRIL 1 TO OC HEADGATE APRIL 1 TO OC HEADGATE	CTOBER 31 PPER DITCH CTOBER 31 NENWSW CTOBER 31 PPER DITCH	5 4 4	4Ñ 4N 4N	10Ē 10E 10E	PARK
1 *Period of Diversion: Diversion Means: Ditch Name: 2 *Period of Diversion: Diversion Means: 3 Period of Diversion: Diversion Means: Diversion Means:	11 APRIL 1 TO OC HEADGATE WESTLING-PE 13 APRIL 1 TO OC HEADGATE APRIL 1 TO OC HEADGATE VANDYCK-PE	CTOBER 31 PPER DITCH CTOBER 31 NENWSW CTOBER 31 PPER DITCH	5 4 4	4Ñ 4N 4N	10Ē 10E 10E : KEV <u>Rge</u>	PARK PARK PARK
1 *Period of Diversion: Diversion Means: Ditch Name: 2 *Period of Diversion: Diversion Means: 3 Period of Diversion: Diversion Means: Diversion Means:	11 APRIL 1 TO OC HEADGATE WESTLING-PE 13 APRIL 1 TO OC HEADGATE APRIL 1 TO OC HEADGATE VANDYCK-PEE ONSTREAM <u>Govt Lot</u>	CTOBER 31 PPER DITCH CTOBER 31 NENWSW CTOBER 31 PPER DITCH J Qtr Sec NWSWSW	5 4 4 Reservoi	4Ñ 4N 4N ir Name <u>Twp</u>	10Ē 10E 10E : KEV <u>Rge</u>	PARK PARK PARK IN'S POND <u>County</u>
1 *Period of Diversion: Diversion Means: Ditch Name: 2 *Period of Diversion: Diversion Means: 3 Period of Diversion: Diversion Means: Ditch Name: Reservoir:	11 APRIL 1 TO OC HEADGATE WESTLING-PE 13 APRIL 1 TO OC HEADGATE APRIL 1 TO OC HEADGATE VANDYCK-PEE ONSTREAM <u>Govt Lot</u>	CTOBER 31 PPER DITCH CTOBER 31 NENWSW CTOBER 31 PPER DITCH J Qtr Sec NWSWSW	5 4 4 Reservoi	4Ñ 4N 4N ir Name <u>Twp</u>	10Ē 10E 10E : KEV <u>Rge</u>	PARK PARK PARK IN'S POND <u>County</u>

Capacity: 1.70 ACRE-FEET

*Period of Use:

APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	Acres	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	51.00		E2	5	4N	10E	PARK
2	10.00	9		5	4N	10E	PARK
3	10.00	11		5	4N	10E	PARK
4	25.00	12		5	4N	10E	PARK
5	3.00	1		6	4N	10E	PARK
6	2.00	2		6	4N	10E	PARK
7	20.00	6		6	4N	10E	PARK
8	20.00	7		6	4N	10E	PARK
9	30.00	8		6	4N	10E	PARK
10	30.00	9		6	4N	10E	PARK
Total:	201.00						

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.

13858-01	191676-00	191677-00	191678-00	191680-00	191681-00
191682-00	191685-00	191686-00	191948-00		

Water Right Number:	43A 30151602 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	CJA PROPERTIES LLC 140 PEPPER LN WILSALL, MT 59086 9420
Priority Date:	JUNE 1, 1902
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 THE 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 UNIT SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THIS AREA SERVED BY THIS WATER SOURCE.
Climatic Area:	4 - MODERATELY LOW
Source Name:	PORCUPINE CREEK, MIDDLE FORK
Source Type:	SURFACE WATER
Source Name:	PORCUPINE CREEK
Source Type:	SURFACE WATER
	WATER FROM THE MIDDLE FORK OF PORCUPINE CREEK MAY BE EXCHANGED FOR WATER DIVERTED FROM PORCUPINE CREEK.
Point of Diversion and Mean	s of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCounty1454N10EPARK
Source Name:	PORCUPINE CREEK, MIDDLE FORK
Period of Diversion:	MARCH 1 TO OCTOBER 31
Diversion Means:	HEADGATE
Ditch Name:	WESTLING-PEPPER DITCH
2	14 5 4N 10E PARK
Source Name:	
Period of Diversion:	MARCH 1 TO OCTOBER 31
Diversion Means:	
Ditch Name:	WESTLING-PEPPER DITCH

POINT OF DIVERSION 01 IS LOCATED ON THE MIDDLE FORK OF PORCUPINE CREEK. POINT OF DIVERSION 02 IS LOCATED ON PORCUPINE CREEK. THE POINT OF DIVERSIONS ARE LOCATED NEAR THE CONFLUENCE OF THESE SOURCES, AND ARE BOTH USED TO SUPPLY WATER TO THE SAME DITCH. WATER FROM ONE SOURCE MAY BE EXCHANGED FOR WATER FROM THE OTHER SOURCE.

Period of Use: MARCH 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1				6	4N	10E PARK
2				5	4N	10E PARK

Water Right Number:	43A 30151603 STATEMENT OF CLAIM
0	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	CJA PROPERTIES LLC 140 PEPPER LN WILSALL, MT 59086 9420
Priority Date:	JUNE 1, 1892
Type of Historical Right:	DECREED
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 THE 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 UNIT SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THIS AREA SERVED BY THIS WATER SOURCE.
Climatic Area:	4 - MODERATELY LOW
Source Name:	DRY GULCH CREEK
Source Type:	SURFACE WATER
Point of Diversion and Mean	is of Diversion:
<u>ID</u> 1	Govt LotQtr SecSecTwpRgeCounty1154N10EPARK
Period of Diversion:	APRIL 1 TO OCTOBER 31
Diversion Means:	HEADGATE
Ditch Name:	RALPH-PEPPER DITCH
2	11 5 4N 10E PARK
Period of Diversion:	APRIL 1 TO OCTOBER 31
Diversion Means:	HEADGATE
Ditch Name:	WESTLING-PEPPER DITCH
	POINT OF DIVERSION 01 IS LOCATED ON DRY GULCH. POINT OF DIVERSION 02 IS LOCATED AT THE CONFLUENCE OF PORCUPINE CREEK AND DRY GULCH. THESE SOURCES ARE BOTH USED TO SUPPLY WATER TO THE SAME DITCH. WATER FROM ONE SOURCE MAY BE EXCHANGED FOR WATER FROM THE OTHER SOURCE.
Period of Use:	APRIL 1 TO OCTOBER 31
Place of Use:	
<u>ID</u> <u>Acre</u> 1	<u>s Govt Lot</u> <u>Otr Sec Sec Twp</u> <u>Rge County</u> 6 4N 10E PARK

5 4N 10E PARK

Water Right Number:	43A 30151604	STATEMENT	OF CL	AIM		
	Version: 1	ORIGINAL RIC	GHT			
	Stat	us: ACTIVE				
Owners:	CJA PROPERTIE 140 PEPPER LN WILSALL, MT 59					
Priority Date:	MAY 15, 1901					
Type of Historical Right:	DECREED					
Purpose (Use):	STOCK					
Flow Rate:	CONSISTS OF S	TOCK DRINK	NG DI ATE IS	RECTL ^V S LIMITE	Y FRO ED TO	ED BECAUSE THIS USE M THE SOURCE OR FROM A THE MINIMUM AMOUNT URPOSE.
Volume:	STOCK WATERI ANIMAL UNIT. A	NG PURPOSE NIMAL UNIT S	S AT ⁻ HALL	THE RA BE BAS		CONSUMPTIVELY USED FOR 30 GALLONS PER DAY PER N REASONABLE CARRYING SERVED BY THIS WATER
Climatic Area:	4 - MODERATEL	Y LOW				
Source Name:	PORCUPINE CR	EEK				
Source Type:	SURFACE W	ATER				
Point of Diversion and Mean	s of Diversion:					
<u>ID</u>	Govt Lot	<u>Qtr Sec</u>	Sec	Twp		County
1 Deris Laf Discontant			5	4N	10E	PARK
Period of Diversion: Diversion Means:	APRIL 15 TO OC HEADGATE	IUDER 31				
Ditch Name:	WESTLING DITC	Ъ				
2	14		5	4N	10E	PARK
Period of Diversion:	APRIL 15 TO OC	TOBER 31	-			
Diversion Means:	HEADGATE					
Ditch Name:	WESTLING-PEP	PER DITCH				
Period of Use:	APRIL 15 TO OC	TOBER 31				
Place of Use:						
<u>ID</u> <u>Acre</u> 1 2	<u>s Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u> 6 5	<u>Twp</u> 4N 4N	10E	<u>County</u> PARK PARK

Water Right Number:	43A 30151605	STATEMENT	OF CL	_AIM		
	Version: 1	ORIGINAL RIC	SHT			
	Stat	us: ACTIVE				
Owners:	CJA PROPERTIE 140 PEPPER LN WILSALL, MT 59					
Priority Date:	JULY 1, 1890					
Type of Historical Right:	DECREED					
Purpose (Use):	STOCK					
Flow Rate:	CONSISTS OF S	TOCK DRINK	NG DI ATE IS	RECTL' S LIMITE	Y FRO ED TO	ED BECAUSE THIS USE M THE SOURCE OR FROM A THE MINIMUM AMOUNT URPOSE.
Volume:	STOCK WATERI ANIMAL UNIT. A	ING PURPOSE NIMAL UNIT S	S AT ⁻ HALL	THE RA BE BAS	TE OF ED OI	CONSUMPTIVELY USED FOR 30 GALLONS PER DAY PER N REASONABLE CARRYING SERVED BY THIS WATER
Climatic Area:	4 - MODERATEL	Y LOW				
Source Name:	PORCUPINE CR	EEK				
Source Type:	SURFACE W	ATER				
Point of Diversion and Mean	s of Diversion:					
<u>ID</u> 1	<u>Govt Lot</u> 11	<u>Qtr Sec</u>	<u>Sec</u> 5	<u>Twp</u> 4N		<u>County</u> PARK
Period of Diversion:	APRIL 15 TO OC	TOBER 31				
Diversion Means:	HEADGATE					
Ditch Name:	WESTLING-PEP	PER DITCH				
2	14		5	4N	10E	PARK
Period of Diversion:	APRIL 15 TO OC	TOBER 31				
Diversion Means:	HEADGATE					
Ditch Name:	WESTLING-PEP	PER DITCH				
Period of Use:	APRIL 15 TO OC	TOBER 31				
Place of Use:						
<u>ID</u> <u>Acre</u> 1 2	<u>s Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u> 6 5	<u>Twp</u> 4N 4N	10E	<u>County</u> PARK PARK

Water Right Number:	43A 30151606	STATEMENT	OF CL	AIM		
	Version: 1	ORIGINAL RIC	GHT			
	Stat	us: ACTIVE				
Owners:	CJA PROPERTIE 140 PEPPER LN WILSALL, MT 59					
Priority Date:	MAY 20, 1902					
Type of Historical Right:	DECREED					
Purpose (Use):	STOCK					
Flow Rate:	CONSISTS OF S	TOCK DRINKI THE FLOW R	ING DII ATE IS	RECTLY S LIMITE	′ FRO D TO	ED BECAUSE THIS USE M THE SOURCE OR FROM A THE MINIMUM AMOUNT URPOSE.
Volume:	STOCK WATERI ANIMAL UNIT. AI	NG PURPOSE NIMAL UNIT S	ES AT T SHALL E	THE RAT BE BASI	re of Ed oi	CONSUMPTIVELY USED FOR 30 GALLONS PER DAY PER N REASONABLE CARRYING SERVED BY THIS WATER
Climatic Area:	4 - MODERATEL	Y LOW				
Source Name:	SHIELDS RIVER	SOUTH FOR	К			
Source Type:	SURFACE W	ATER				
Point of Diversion and Mean	s of Diversion:					
<u>ID</u> 1	<u>Govt Lot</u> 4	<u>Qtr Sec</u> NWNW	<u>Sec</u> 2	<u>Twp</u> 4N		<u>County</u> PARK
Period of Diversion:	APRIL 1 TO OCT	OBER 31				
Diversion Means:	HEADGATE					
Ditch Name:	VANDYCK-PEPP	ER DITCH				
Reservoir:	ONSTREAM	F	Reservoi	ir Name:	DRY	GULCH RESERVOIR
	<u>Govt Lot</u> 8	<u>Qtr Sec</u>	<u>Sec</u> 5	<u>Twp</u> 4N		<u>County</u> PARK
Diversion to Reservo	oir: DIVERSION #	1				
Dam Height:	25.00 FEET					
Surface Area:	6.00 ACRES					
Capacity:	120.00 ACRE-FE	ET				
Reservoir:	ONSTREAM	F	Reservoi	ir Name:	KEV	IN'S POND
	<u>Govt Lot</u>	<u>Qtr Sec</u> NWSWSW	<u>Sec</u> 4	<u>Twp</u> 4N		<u>County</u> PARK

Dam Height:	14.00 FEET
Surface Area:	0.60 ACRES
Capacity:	1.70 ACRE-FEET
Period of Use:	APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	Acres	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1			E2	34	5N	10E PARK
2				33	5N	10E PARK
3			W2W2	3	4N	10E PARK
4				4	4N	10E PARK
5			E2	5	4N	10E PARK

Water Right Number:	43A 30151607	STATEMENT	OF CL	AIM		
	Version: 1	ORIGINAL RIC	SHT			
	Stat	us: ACTIVE				
Owners:	CJA PROPERTII 140 PEPPER LN WILSALL, MT 59					
Priority Date:	JUNE 1, 1890					
Type of Historical Right:	DECREED					
Purpose (Use):	STOCK					
Flow Rate:	CONSISTS OF S	TOCK DRINK	NG DI ATE IS	RECTL ^V S LIMITE	Y FRO ED TO	ED BECAUSE THIS USE M THE SOURCE OR FROM A THE MINIMUM AMOUNT URPOSE.
Volume:	STOCK WATER ANIMAL UNIT. A	ING PURPOSE NIMAL UNIT S	S AT T	THE RA BE BAS	TE OF ED Of	CONSUMPTIVELY USED FOR 30 GALLONS PER DAY PER N REASONABLE CARRYING SERVED BY THIS WATER
Climatic Area:	4 - MODERATEL	Y LOW				
Source Name:	PORCUPINE CR	REEK				
Source Type:	SURFACE W	ATER				
Point of Diversion and Mean	s of Diversion:					
<u>ID</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>		<u>County</u>
1	11		5	4N	10E	PARK
Period of Diversion:	APRIL 1 TO OCT	IOBER 31				
Diversion Means:	HEADGATE					
Ditch Name: 2	WESTLING-PEP 14	PERDITCH	5	4N	105	PARK
Period of Diversion:	APRIL 1 TO OCT		5	-111	IUL	
Diversion Means:	HEADGATE	IODER 31				
Ditch Name:	WESTLING-PEP					
Period of Use:	APRIL 1 TO OCT					
Place of Use:		OBEROT				
IDAcres12	<u>s Govt Lot</u>	<u>Qtr Sec</u> NW N2	<u>Sec</u> 5 6	<u>Twp</u> 4N 4N	10E	<u>County</u> PARK PARK

Water Right Number:	43A 301516	08 STATEMEN	T OF CL	AIM.		
	Version:	1 ORIGINAL RI	GHT			
		Status: ACTIVE				
Owners:	CJA PROPER 140 PEPPER WILSALL, M1	LN				
Priority Date:	NOVEMBER	24, 1954				
Type of Historical Right:	FILED					
Purpose (Use):	STOCK					
Flow Rate:	CONSISTS C	OF STOCK DRINK	KING DI RATE IS	RECTL [®] S LIMITI	Y FRO ED TO	ED BECAUSE THIS USE M THE SOURCE OR FROM A THE MINIMUM AMOUNT URPOSE.
Volume:	STOCK WAT	ERING PURPOS T. ANIMAL UNIT	ES AT ⁻ SHALL	THE RA BE BAS	TE OF	CONSUMPTIVELY USED FOR 30 GALLONS PER DAY PER N REASONABLE CARRYING SERVED BY THIS WATER
Source Name:	DRY GULCH	CREEK				
Source Type:	SURFAC	E WATER				
Point of Diversion and Mean	s of Diversion:					
	Govt Lot	<u>Qtr Sec</u>	Sec F	Twp		<u>County</u>
1	8	-	<u>Sec</u> 5	<u>Twp</u> 4N		<u>County</u> PARK
1 Period of Diversion:	8 APRIL 1 TO (-				
1 Period of Diversion: Diversion Means:	8 APRIL 1 TO (DAM	OCTOBER 31				
1 Period of Diversion:	8 APRIL 1 TO (OCTOBER 31			10E	
1 Period of Diversion: Diversion Means: Ditch Name:	8 APRIL 1 TO 0 DAM RALPH-PEPF	OCTOBER 31 PER DITCH	5	4N	10E	PARK
1 Period of Diversion: Diversion Means: Ditch Name: 2 - SECONDARY	8 APRIL 1 TO 0 DAM RALPH-PEPF 11	OCTOBER 31 PER DITCH	5	4N	10E	PARK
1 Period of Diversion: Diversion Means: Ditch Name: 2 - SECONDARY Period of Diversion:	8 APRIL 1 TO 0 DAM RALPH-PEPF 11 APRIL 1 TO 0 PIPELINE	OCTOBER 31 PER DITCH	5	4N	10E	PARK
1 Period of Diversion: Diversion Means: Ditch Name: 2 - SECONDARY Period of Diversion: Diversion Means:	8 APRIL 1 TO 0 DAM RALPH-PEPF 11 APRIL 1 TO 0 PIPELINE	DCTOBER 31 PER DITCH DCTOBER 31	5	4N	10Ē	PARK
1 Period of Diversion: Diversion Means: Ditch Name: 2 - SECONDARY Period of Diversion: Diversion Means: Ditch Name:	8 APRIL 1 TO 0 DAM RALPH-PEPF 11 APRIL 1 TO 0 PIPELINE WESTLING-F	DCTOBER 31 PER DITCH DCTOBER 31 PEPPER DITCH	5	4Ñ 4N	10Ē	PARK
1 Period of Diversion: Diversion Means: Ditch Name: 2 - SECONDARY Period of Diversion: Diversion Means: Ditch Name: 3 - SECONDARY	8 APRIL 1 TO 0 DAM RALPH-PEPI 11 APRIL 1 TO 0 PIPELINE WESTLING-F 14	DCTOBER 31 PER DITCH DCTOBER 31 PEPPER DITCH	5	4Ñ 4N	10Ē	PARK
1 Period of Diversion: Diversion Means: Ditch Name: 2 - SECONDARY Period of Diversion: Diversion Means: Ditch Name: 3 - SECONDARY Period of Diversion:	8 APRIL 1 TO 0 DAM RALPH-PEPF 11 APRIL 1 TO 0 PIPELINE WESTLING-F 14 APRIL 1 TO 0 PIPELINE	DCTOBER 31 PER DITCH DCTOBER 31 PEPPER DITCH	5	4Ñ 4N	10Ē	PARK
1 Period of Diversion: Diversion Means: Ditch Name: 2 - SECONDARY Period of Diversion: Diversion Means: 3 - SECONDARY Period of Diversion: Diversion Means:	8 APRIL 1 TO 0 DAM RALPH-PEPH 11 APRIL 1 TO 0 PIPELINE 4 APRIL 1 TO 0 PIPELINE WESTLING-F	DCTOBER 31 PER DITCH DCTOBER 31 PEPPER DITCH DCTOBER 31	5	4Ñ 4N	10Ē	PARK
1 Period of Diversion: Diversion Means: Ditch Name: 2 - SECONDARY Period of Diversion: Diversion Means: Ditch Name: 3 - SECONDARY Period of Diversion: Diversion Means: Ditch Name: Period of Use: Place of Use:	8 APRIL 1 TO 0 DAM RALPH-PEPF 11 APRIL 1 TO 0 PIPELINE WESTLING-F APRIL 1 TO 0 WESTLING-F APRIL 1 TO 0	DCTOBER 31 PER DITCH DCTOBER 31 PEPPER DITCH DCTOBER 31 PEPPER DITCH DCTOBER 31	5	4N 4N 4N	10Ē 10E	PARK
1 Period of Diversion: Diversion Means: Ditch Name: 2 - SECONDARY Period of Diversion: Diversion Means: Ditch Name: 3 - SECONDARY Period of Diversion: Diversion Means: Ditch Name: 3 - SECONDARY Period of Diversion: Diversion Means: Ditch Name: Period of Diversion: Diversion Means: Ditch Name: Period of Use: Place of Use: ID Acree	8 APRIL 1 TO 0 DAM RALPH-PEPF 11 APRIL 1 TO 0 PIPELINE WESTLING-F APRIL 1 TO 0 WESTLING-F APRIL 1 TO 0	DCTOBER 31 PER DITCH DCTOBER 31 PEPPER DITCH DCTOBER 31 PEPPER DITCH DCTOBER 31 <u>Qtr Sec</u>	5 5 <u>Sec</u>	4N 4N 4N	10Ē 10E 10E	PARK PARK PARK
1 Period of Diversion: Diversion Means: Ditch Name: 2 - SECONDARY Period of Diversion: Diversion Means: Ditch Name: 3 - SECONDARY Period of Diversion: Diversion Means: Ditch Name: Period of Use: Place of Use:	8 APRIL 1 TO 0 DAM RALPH-PEPF 11 APRIL 1 TO 0 PIPELINE WESTLING-F APRIL 1 TO 0 WESTLING-F APRIL 1 TO 0	DCTOBER 31 PER DITCH DCTOBER 31 PEPPER DITCH DCTOBER 31 PEPPER DITCH DCTOBER 31	5	4N 4N 4N	10E 10E 10E <u>Rge</u> 10E	PARK

Water Right Number:	43A 30151609	STATEMENT	OF CL	AIM					
	Version: 1 ORIGINAL RIGHT								
	Status: ACTIVE								
Owners:	CJA PROPERTIES LLC 140 PEPPER LN WILSALL, MT 59086 9420								
Priority Date:	MAY 20, 1915								
Type of Historical Right:	USE								
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 THE 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 UNIT SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THIS AREA SERVED BY THIS WATER SOURCE.								
Source Name:	MEADOW CREEK								
Source Type:	SURFACE WATER								
Point of Diversion and Mean	s of Diversion:								
<u>ID</u> 1	<u>Govt Lot</u> 11	<u>Qtr Sec</u>	<u>Sec</u> 5	<u>Twp</u> 4N		<u>County</u> PARK			
Period of Diversion:	APRIL 1 TO OC	TOBER 31							
Diversion Means:	HEADGATE								
Ditch Name:	WESTLING DITCH								
2	13		4	4N	10E	PARK			
Period of Diversion:	APRIL 1 TO OCTOBER 31								
Diversion Means:	HEADGATE								
3		NENWSW	4	4N	10E	PARK			
Period of Diversion:	APRIL 1 TO OC	TOBER 31							
Diversion Means:	HEADGATE								
Ditch Name:	VANDYCK-PEPPER DITCH								
Reservoir:	ONSTREAM Reservoir Name: KEVIN'S POND								
	<u>Govt Lot</u>	<u>Qtr Sec</u> NWSWSW	<u>Sec</u> 4	<u>Twp</u> 4N		<u>County</u> PARK			
Diversion to Reservoir: DIVERSION # 3									

Dam Height: 14.00 FEET

Surface Area:	0.60 ACRES
Capacity:	1.70 ACRE-FEET
Period of Use:	APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u> <u>County</u>
1				5	4N	10E PARK
2			N2	6	4N	10E PARK