

41G-0382-R-2021

July 21, 2021

Montana Water Court

IN THE WATER COURT OF THE STATE OF MONTANA  
UPPER MISSOURI DIVISION  
JEFFERSON RIVER BASIN (41G)  
PRELIMINARY DECREE

\* \* \* \* \*

CLAIMANT: Dry Hollow Inc.

OBJECTOR: Dry Hollow Inc.; Barry L. Rice; Diane J.  
Rice

**CASE 41G-0382-R-2021**

41G 143410-00  
41G 143415-00  
41G 143417-00  
41G 143419-00  
41G 143423-00  
41G 143424-00  
41G 143425-00  
41G 143426-00  
41G 143430-00  
41G 192512-00  
41G 192513-00

**NOTICE OF FILING OF MASTER'S REPORT**

This Master's Report was filed with the Clerk of the Montana Water Court. Please 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.*

## **MASTER'S REPORT**

### **FINDINGS OF FACT**

1. The above captioned claims appeared in the 41G Preliminary Decree with DNRC issue remarks. The claims also received objections from Dry Hollow, Inc., Barry Rice, and Diane Rice.

2. On January 6, 2020, Dry Hollow, Inc., Barry Rice, and Diane Rice filed motions to amend resolving their objections to the claims and addressing the issue remarks received by the claims.

3. The motions to amend indicate that the changes made to the points of diversion and ditch names by the DNRC during claims examination are accurate. Accordingly, the P88 issue remarks that appear on the claims are resolved and should be removed from the abstracts.

4. The motions to amend also address the issue remarks attached to claims 41G 143415-00 and 41G 143419-00 stating that the priority date of the claims may be questionable because they are use rights on South Willow Creek with priority dates predating Case No. 5591. The claimant points out that both water rights claim a priority date of January 1, 1920, which postdates Case No. 5591 issued June 25, 1917. The issue remarks are therefore inaccurate. There is no information before the court indicating that the claimed January 1, 1920 priority dates are incorrect. Accordingly, the issue remarks do not overcome the prima facie status of the claims and should be removed.

Claims 41G 143415-00 and 41G 143419-00 identify a limited period of use from June 1 – June 30. The claimant explains that this limited time frame signifies the use of high or floodwaters and requests the following information remark be added to claims 41G 143415-00 and 41G 143419-00:

THIS RIGHT IS LIMITED TO HIGH OR FLOODWATERS.

The requested information remark helps explain how the water rights are used and should be added to the claims.

5. The motions to amend request corrections to the places of use and maximum acres for the claims. The motions explain that the original acreage claimed was broad and included land that was not historically irrigated. The motions request the place of use and maximum acres be reduced to describe the historically accurate places of use as provided below.

41G 143430-00<sup>1</sup>

**Decreed Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>
1	634.69		7	2S	1W
2	320.00	N2	18	2S	1W

Total: 954.69

**Corrected Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>
1	225.00	W2	7	2S	1W
2	10.00	SWNE	7	2S	1W
3	80.00	SE	7	2S	1W
4	235.00	N2	18	2S	1W

Total: 550.00

Claims 41G 143410-00, 41G 143417-00, 41G 143423-00, and 41G 143425-00

**Decreed Place of Use**

<u>ID</u>	<u>Acres</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>
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<sup>1</sup> Claims 41G 143409-00 and 41G 143430-00 were decreed with the same place of use, and the motion to amend requests the same corrections to the place of use for both claims. However, claim 41G 143409-00 received an objection from Mark Cooper and Katie Cooper and will be addressed in a separate case.

1	634.69	7	2S	1W
3	640.00	18	2S	1W
4	640.00	19	2S	1W

Total: 1914.69

### **Corrected Place of Use**

ID	Acres	Qtr Sec	Sec	Twp	Rge
1	225.00	W2	7	2S	1W
2	10.00	SWNE	7	2S	1W
3	80.00	SE	7	2S	1W
4	235.00	N2	18	2S	1W
5	298.00	S2	18	2S	1W
6	494.00		19	2S	1W

Total: 1342.00

### Claim 41G 143415-00

### **Decreed Place of Use**

ID	Acres	Qtr Sec	Sec	Twp	Rge
1	640.00		19	2S	1W

Total: 640.00

### **Corrected Place of Use**

ID	Acres	Qtr Sec	Sec	Twp	Rge
1	494.00		19	2S	1W

Total: 494.00

### Claim 41G 143419-00

### **Decreed Place of Use**

ID	Acres	Qtr Sec	Sec	Twp	Rge
1	640.00		18	2S	1W

Total: 640.00

**Corrected Place of Use**

<u>ID</u>	<u>Acres</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>
1	533.00		18	2S	1W

Total: 494.00

Claims 41G 143424-00, 41G 143426-00, 41G 192512-00, and 41G 192513-00

**Decreed Place of Use**

<u>ID</u>	<u>Acres</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>
1	640.00		19	2S	1W
2	320.00	S2	18	2S	1W

Total: 960.00

**Corrected Place of Use**

<u>ID</u>	<u>Acres</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>
1	494.00		19	2S	1W
2	298.00	S2	18	2S	1W

Total: 792.00

6. Attached to the motions to amend are maps of the corrected places of use. A copy of the motions to amend will be placed in each of the claim files.

**CONCLUSIONS OF LAW**

1. A properly filed Statement of Claim for Existing Water Right is prima facie proof of its content. § 85-2-227, MCA. This prima facie proof may be contradicted and overcome by other evidence that proves, by a preponderance of the evidence, that the elements of the claim do not accurately reflect the beneficial use of the water right as it existed prior to July 1, 1973. This is the burden of proof for every assertion that a claim is incorrect. Rule 19, W.R.Adj.R.

2. The claimant of a water right claim may waive the advantage of § 85-2-227, MCA by requesting a reduction or limitation of an element of a water right claim. The water court may accept a claimant's requested reduction or limitation without further presentation of evidence unless there is an unresolved issue remark on the claim. Rule

17(c), W.R.Adj.R. The requested corrections to the places of use and maximum acres for the claims in this case amount to reductions to the claims and do not require the further presentation of evidence.

3. All issue remarks to claims that are not resolved through the filing of an objection must be resolved pursuant to § 85-2-248, MCA. § 85-2-248(2), MCA. However, the requirement to resolve issue remarks does not eliminate the prima facie status granted to water rights, nor does it change the burden of proof required to modify or invalidate a claim. 43Q 200996-00 et al., Order Establishing Volume and Order Closing Case, at 18, June 8, 2015. The issue remarks appearing on the claims in this case do not overcome the prima facie status of the claims. The issue remarks should be removed from the claims.

#### RECOMMENDATIONS

1. The place of use and maximum acres of the claims in this case should be corrected as provided above.

2. The issue remarks should be removed from the claims.

Post Decree Abstracts of Water Right Claims are served with the Report to confirm that the recommended modifications have been made in the state's centralized record system.

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Madeleine Weisz  
Senior Water Master

#### **Service via Electronic Mail:**

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**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JEFFERSON RIVER  
BASIN 41G**

**Water Right Number:**      **41G 143410-00**      STATEMENT OF CLAIM

**Version:**      3 -- POST DECREE

**Status:** ACTIVE

**Owners:**                      DRY HOLLOW INC  
                                    PO BOX 216  
                                    HARRISON, MT 59735 0201

**Priority Date:**              DECEMBER 31, 1866

**Type of Historical Right:**      DECREED

**Purpose (Use):**              IRRIGATION

**Irrigation Type:**              SPRINKLER/FLOOD

**Flow Rate:**                2.50 CFS

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

**Climatic Area:**              3 - MODERATE

**Maximum Acres:**              1,342.00

**Source Name:**              SOUTH WILLOW CREEK

**Source Type:**                SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSENE	15	2S	2W	MADISON

**Period of Diversion:**      APRIL 15 TO OCTOBER 15

**Diversion Means:**        HEADGATE

**Ditch Name:**              CARMIN BELL DITCH

**Period of Use:**              APRIL 15 TO OCTOBER 15

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	225.00		W2	7	2S	1W	MADISON
2	10.00		SWNE	7	2S	1W	MADISON
3	80.00		SE	7	2S	1W	MADISON
4	235.00		N2	18	2S	1W	MADISON
5	298.00		S2	18	2S	1W	MADISON
6	494.00			19	2S	1W	MADISON

**Total:**                      1,342.00

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JEFFERSON RIVER  
BASIN 41G**

**Water Right Number:**      **41G 143415-00**      STATEMENT OF CLAIM  
**Version:**      3 -- POST DECREE  
**Status:**      ACTIVE

**Owners:**      DRY HOLLOW INC  
                    PO BOX 216  
                    HARRISON, MT 59735 0201

**Priority Date:**      JANUARY 1, 1920  
                            THIS RIGHT IS LIMITED TO HIGH OR FLOODWATERS.

**Type of Historical Right:**      USE

**Purpose (Use):**      IRRIGATION

**Irrigation Type:**      SPRINKLER/FLOOD

**Flow Rate:**      5.00 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:**      494.00

**Source Name:**      SOUTH WILLOW CREEK

**Source Type:**      SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSENW	15	2S	2W	MADISON

**Period of Diversion:**      JUNE 1 TO JUNE 30

**Diversion Means:**      HEADGATE

**Ditch Name:**      CARMIN BELL DITCH

**Period of Use:**      JUNE 1 TO JUNE 30

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	494.00			19	2S	1W	MADISON
<b>Total:</b>	494.00						



**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JEFFERSON RIVER  
BASIN 41G**

**Water Right Number:**      **41G 143417-00**      STATEMENT OF CLAIM

**Version:**      3 -- POST DECREE

**Status:** ACTIVE

**Owners:**                      DRY HOLLOW INC  
                                     PO BOX 216  
                                     HARRISON, MT 59735 0201

**Priority Date:**                MAY 1, 1949

**Type of Historical Right:**    FILED

**Purpose (Use):**                AGRICULTURAL SPRAYING

**Flow Rate:**                  17.50 CFS

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

**Climatic Area:**               3 - MODERATE

**Maximum Acres:**            1,342.00

**Source Name:**               SOUTH WILLOW CREEK

**Source Type:**                SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSNW	15	2S	2W	MADISON

**Period of Diversion:**      JUNE 1 TO JUNE 30

**Diversion Means:**          HEADGATE

**Ditch Name:**                CARMIN BELL DITCH

**Period of Use:**               JUNE 1 TO JUNE 30

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	225.00		W2	7	2S	1W	MADISON
2	10.00		SWNE	7	2S	1W	MADISON
3	80.00		SE	7	2S	1W	MADISON
4	235.00		N2	18	2S	1W	MADISON
5	298.00		S2	18	2S	1W	MADISON
6	494.00			19	2S	1W	MADISON

**Total:**                      1,342.00

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JEFFERSON RIVER  
BASIN 41G**

**Water Right Number:**      **41G 143419-00**      STATEMENT OF CLAIM

**Version:**      3 -- POST DECREE

**Status:** ACTIVE

**Owners:**                      DRY HOLLOW INC  
                                     PO BOX 216  
                                     HARRISON, MT 59735 0201

**Priority Date:**                JANUARY 1, 1920

THIS RIGHT IS LIMITED TO HIGH OR FLOODWATERS.

**Type of Historical Right:**    USE

**Purpose (Use):**                 IRRIGATION

**Irrigation Type:**             SPRINKLER/FLOOD

**Flow Rate:**                  17.50 CFS

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

**Climatic Area:**               3 - MODERATE

**Maximum Acres:**             494.00

**Source Name:**                SOUTH WILLOW CREEK

**Source Type:**                 SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSENW	15	2S	2W	MADISON

**Period of Diversion:**        JUNE 1 TO JUNE 30

**Diversion Means:**           HEADGATE

**Ditch Name:**                CARMIN BELL DITCH

**Period of Use:**                JUNE 1 TO JUNE 30

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	494.00			18	2S	1W	MADISON

**Total:**                              494.00

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JEFFERSON RIVER  
BASIN 41G**

**Water Right Number:** 41G 143423-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** DRY HOLLOW INC  
PO BOX 216  
HARRISON, MT 59735 0201

**Priority Date:** DECEMBER 31, 1885

**Type of Historical Right:** DECREEED

**Purpose (Use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 1.25 CFS

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

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 1,342.00

**Source Name:** SOUTH WILLOW CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSENE	15	2S	2W	MADISON

**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** CARMIN BELL DITCH

**Period of Use:** APRIL 15 TO OCTOBER 15

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	225.00		W2	7	2S	1W	MADISON
2	10.00		SWNE	7	2S	1W	MADISON
3	80.00		SE	7	2S	1W	MADISON
4	235.00		N2	18	2S	1W	MADISON
5	298.00		S2	18	2S	1W	MADISON
6	494.00			19	2S	1W	MADISON
<b>Total:</b>	1,342.00						

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**Remarks:**

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

143379-00

143423-00

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JEFFERSON RIVER  
BASIN 41G**

**Water Right Number:** 41G 143424-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** DRY HOLLOW INC  
PO BOX 216  
HARRISON, MT 59735 0201

**Priority Date:** DECEMBER 31, 1864

**Type of Historical Right:** DECREEED

**Purpose (Use):** IRRIGATION  
**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 421.87 GPM

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

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 792.00

**Source Name:** SOUTH WILLOW CREEK  
**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSNW	15	2S	2W	MADISON

**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** CARMIN BELL DITCH

**Period of Use:** APRIL 15 TO OCTOBER 15

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	494.00			19	2S	1W	MADISON
2	298.00		S2	18	2S	1W	MADISON
<b>Total:</b>	792.00						

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JEFFERSON RIVER  
BASIN 41G**

**Water Right Number:**      **41G 143425-00**      STATEMENT OF CLAIM

**Version:**      3 -- POST DECREE

**Status:** ACTIVE

**Owners:**                      DRY HOLLOW INC  
                                     PO BOX 216  
                                     HARRISON, MT 59735 0201

**Priority Date:**                DECEMBER 31, 1865

**Type of Historical Right:**    DECREED

**Purpose (Use):**                IRRIGATION

**Irrigation Type:**            SPRINKLER/FLOOD

**Flow Rate:**                 1.50 CFS

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

**Climatic Area:**              3 - MODERATE

**Maximum Acres:**            1,342.00

**Source Name:**                SOUTH WILLOW CREEK

**Source Type:**                SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSENW	15	2S	2W	MADISON

**Period of Diversion:**        APRIL 15 TO OCTOBER 15

**Diversion Means:**            HEADGATE

**Ditch Name:**                CARMIN BELL DITCH

**Period of Use:**                APRIL 15 TO OCTOBER 15

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	225.00		W2	7	2S	1W	MADISON
2	10.00		SWNE	7	2S	1W	MADISON
3	80.00		SE	7	2S	1W	MADISON
4	235.00		N2	18	2S	1W	MADISON
5	298.00		S2	18	2S	1W	MADISON
6	494.00			19	2S	1W	MADISON

**Total:**                         1,342.00

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JEFFERSON RIVER  
BASIN 41G**

**Water Right Number:** 41G 143426-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** DRY HOLLOW INC  
PO BOX 216  
HARRISON, MT 59735 0201

**Priority Date:** DECEMBER 31, 1865

**Type of Historical Right:** DECREEED

**Purpose (Use):** IRRIGATION  
**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 1.75 CFS

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

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 792.00

**Source Name:** SOUTH WILLOW CREEK  
**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSNW	15	2S	2W	MADISON

**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** CARMIN BELL DITCH

**Period of Use:** APRIL 15 TO OCTOBER 15

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	494.00			19	2S	1W	MADISON
2	298.00		S2	18	2S	1W	MADISON
<b>Total:</b>	792.00						

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JEFFERSON RIVER  
BASIN 41G**

**Water Right Number:** 41G 143430-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** DRY HOLLOW INC  
PO BOX 216  
HARRISON, MT 59735 0201

**Priority Date:** DECEMBER 31, 1866

**Type of Historical Right:** DECREEED

**Purpose (Use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 283.00 GPM

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

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 550.00

**Source Name:** SOUTH WILLOW CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSNW	15	2S	2W	MADISON

**Period of Diversion:** APRIL 15 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** CARMIN BELL DITCH

**Period of Use:** APRIL 15 TO OCTOBER 15

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	225.00		W2	7	2S	1W	MADISON
2	10.00		SWNE	7	2S	1W	MADISON
3	80.00		SE	7	2S	1W	MADISON
4	235.00		N2	18	2S	1W	MADISON

**Total:** 550.00



**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JEFFERSON RIVER  
BASIN 41G**

**Water Right Number:**      **41G 192512-00**      STATEMENT OF CLAIM

**Version:**      3 -- POST DECREE

**Status:** ACTIVE

**Owners:**                      DRY HOLLOW INC  
                                     PO BOX 216  
                                     HARRISON, MT 59735 0201

**Priority Date:**                DECEMBER 31, 1866

**Type of Historical Right:**    DECREED

**Purpose (Use):**                IRRIGATION

**Irrigation Type:**            SPRINKLER/FLOOD

**Flow Rate:**                 282.74 GPM

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

**Climatic Area:**              3 - MODERATE

**Maximum Acres:**            792.00

**Source Name:**                SOUTH WILLOW CREEK

**Source Type:**                SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSENE	15	2S	2W	MADISON

**Period of Diversion:**        APRIL 15 TO OCTOBER 15

**Diversion Means:**            HEADGATE

**Ditch Name:**                CARMIN BELL DITCH

**Period of Use:**                APRIL 15 TO OCTOBER 15

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	298.00		S2	18	2S	1W	MADISON
2	494.00			19	2S	1W	MADISON
<b>Total:</b>	792.00						

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JEFFERSON RIVER  
BASIN 41G**

**Water Right Number:**      **41G 192513-00**      STATEMENT OF CLAIM

**Version:**      3 -- POST DECREE

**Status:** ACTIVE

**Owners:**                      DRY HOLLOW INC  
                                     PO BOX 216  
                                     HARRISON, MT 59735 0201

**Priority Date:**                DECEMBER 31, 1866

**Type of Historical Right:**    DECREED

**Purpose (Use):**                IRRIGATION

**Irrigation Type:**            SPRINKLER/FLOOD

**Flow Rate:**                 1.25 CFS

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

**Climatic Area:**             3 - MODERATE

**Maximum Acres:**           792.00

**Source Name:**              SOUTH WILLOW CREEK

**Source Type:**               SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSENE	15	2S	2W	MADISON

**Period of Diversion:**      APRIL 15 TO OCTOBER 15

**Diversion Means:**         HEADGATE

**Ditch Name:**               CARMIN BELL DITCH

**Period of Use:**              APRIL 15 TO OCTOBER 15

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	298.00		S2	18	2S	1W	MADISON
2	494.00			19	2S	1W	MADISON
<b>Total:</b>	792.00						