

Montana Water Court
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40N-0062-R-2021

August 26, 2022

Montana Water Court

IN THE WATER COURT OF THE STATE OF MONTANA
LOWER MISSOURI DIVISION
ROCK CREEK, TRIBUTARY OF THE MILK RIVER BASIN (40N)
PRELIMINARY DECREE

* * * * *

CLAIMANTS: Buggy Creek Livestock LLLP; United States
of America (Bureau of Land Management)

NOTICE OF INTENT TO APPEAR: Buggy Creek Livestock
LLLP

CASE 40N-0062-R-2021
40N 30138408
40N 30138410
40N 30138412
40N 30138414
40N 30143032
40N 30143176
40N 30143185
40N 30143189
40N 30143191

NOTICE OF FILING OF MASTER'S REPORT

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

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

must be filed with the Water Court.

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

MASTER'S REPORT

Statement of the case

Buggy Creek Livestock LLLP stock claim 40N 30138408 received the following issue remarks:

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 40N DECREE ISSUED 08/13/1985.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 40N 30138408 & 40N 30143032.

THIS CLAIM APPEARS TO BE CLAIMING 8 DIFFERENT RESERVOIRS WITHIN THE PLACE OF USE. SEE CLAIM FILE FOR LIST OF RESERVOIRS.

Buggy Creek Livestock LLLP stock claim 40N 30138410 received the following issue remarks:

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 40N DECREE ISSUED 08/13/1985.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/15/2019, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY MONTANA STATE SCHOOL TRUST LANDS.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/15/2019, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY VALLEY COUNTY.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 40N 30138410 & 40N 30143189.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 40N 30138410 & 40N 30143176.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 40N 30143191 & 40N 30138410.

THIS CLAIM APPEARS TO BE CLAIMING 13 DIFFERENT RESERVOIRS WITHIN THE PLACE OF USE. SEE CLAIM FILE FOR LIST OF RESERVOIRS.

Buggy Creek Livestock LLLP stock claim 40N 30138412 received the following issue remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE DUPLICATE FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED. 30138412 30143185

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 40N DECREE ISSUED 08/13/1985.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 40N 30143185 & 40N 30138412.

Buggy Creek Livestock LLLP stock claim 40N 30138414 received the following issue remarks:

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 40N DECREE ISSUED 08/13/1985.

THE PLACES OF USE FOR STOCK CLAIM NO. 40N 30138408 AND STOCK CLAIM NO. 40N 30138414 OVERLAP.

United States of America (Bureau of Land Management) stock claim 40N 30143032 received the following issue remarks:

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 40N DECREE ISSUED 08/13/1985.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 40N 30148408 & 40N 30143032.

United States of America (Bureau of Land Management) stock claim 40N 30143176 received the following issue remarks:

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 40N DECREE ISSUED 08/13/1985.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 40N 30148410 & 40N 30143176.

United States of America (Bureau of Land Management) stock claim 40N 30143185 received the following issue remarks:

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 40N DECREE ISSUED 08/13/1985.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 40N 30143185 & 40N 30138412.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE DUPLICATE FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED. 30138412 30143185

United States of America (Bureau of Land Management) stock claim 40N 30143189 received the following issue remarks:

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 40N DECREE ISSUED 08/13/1985.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 40N 30138410 & 40N 30143189.

United States of America (Bureau of Land Management) stock claim 40N 30143191 received the following issue remarks:

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 40N DECREE ISSUED 08/13/1985.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 40N 30143191 & 40N 30138410.

Issue remarks result from Department of Natural Resources and Conservation (“DNRC”) claims examination. Claims examination confirms the historical use of water right claims and identifies issues with claims. If claims examination cannot confirm some aspect of a claim, an issue remark is added to the claim. Montana law requires the Water Court to resolve issue remarks.

Stock claims 40N 30138408, 40N 30138410, 40N 30138412, and 40N 30138414 received a notice of intent to appear from claimant, Buggy Creek Livestock LLLP stating, “This claim has DNRC issue remarks, and resolution of these issue remarks may change or alter elements of the water right.”

On May 24, 2022, Buggy Creek Livestock LLLP filed its Response to Request for Evidence and Motion to Amend (“Response”).

On June 28, 2022, the United States of America (Bureau of Land Management) filed its Response to Court Order (“Response”).

The elements modified by this report for claims 40N 30138408 and 40N 30138410 appeared on the Basin 40N objection list.

Issues

1. Are the issue remarks on the claims resolved?
2. Should the point of diversion and place of use for Buggy Creek Livestock LLLP claims 40N 30138408 and 40N 30138410 be modified to accurately reflect historical use?
3. Should Buggy Creek Livestock LLLP claim 40N 30138414 be withdrawn?

Findings of fact

1. Buggy Creek Livestock LLLP confirms the historical accuracy of *prima facie*

statements of claim 40N 30138408 and 40N 30138410. Stock do not use stored water, only water directly from the claimed sources.

2. Claims 40N 30138408 and 40N 30138410 are exempt claims pursuant to Section 85-2-222, MCA.

3. A preponderance of evidence establishes that the point of diversion and place of use for claims 40N 30138408 and 40N 30138410 should be modified as proposed by Buggy Creek Livestock LLLP to match the maps attached to each statement of claim and accurately reflect historical use.

4. The Preliminary Decree abstracts for claims 40N 30138412, 40N 30143032, 40N 30143176, 40N 30143185, 40N 30143189, and 40N 30143191 accurately reflect historical use.

5. Buggy Creek Livestock LLLP claim 40N 30138414 should be withdrawn.

Principles of law

1. A properly filed Statement of Claim for Existing Water Right or an amended claim for Existing Water Right is *prima facie* proof of its content. Section 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 an element of the *prima facie* claim is incorrect. This is the burden of proof for every assertion that a claim is incorrect. Rule 19, W.R.Adj.R. A preponderance of the evidence is a “modest standard” and is evidence that demonstrates the fact to be proved is “more probable than not.” *Hohenlohe v. State*, 2010 MT 203, ¶ 33, 357 Mont. 348, 240 P.3d 628.

2. The Montana Water Court is permitted to use information submitted by the Department of Natural Resources and Conservation, the statement of claim, information from approved compacts, and any other data obtained by the Court to evaluate water right claims. Section 85-2-231(2), MCA.

3. Settlement, including the documents filed by a claimant where the claimant is the only party, is subject to review and approval by the Water Court. Rule 17(a), W.R.Adj.R.

4. The Montana Water Court shall request additional evidence if the settlement agreement expands or enlarges an element of a claim and the burden of proof is not met. If additional evidence does not meet the burden of proof, the element shall not be expanded or enlarged. Rule 17(b), W.R.Adj.R.

5. The Montana Water Court may accept a settlement agreement that reduces or limits an element of a claim and need not determine whether the burden of proof is met unless there is an unresolved issue remark on the claim. Rule 17(c), W.R.Adj.R.

6. When resolving issue remarks, the Montana Water Court must weigh the information resulting in the issue remark and the issue remark against the claimed water right. Section 85-2-247(2), MCA.

7. The Montana Water Court has the authority to resolve issue remarks when the claim file and information available to the Court provide a sufficient basis to do so. Section 85-2-248(3), MCA.

8. Judicial notice of facts may be taken from a source “whose accuracy cannot be reasonably questioned.” Rule 201, M.R.Ev.

9. “‘Existing right’ or ‘existing water right’ means a right to the use of water that would be protected under the law as it existed prior to July 1, 1973.” Section 85-2-102(13), MCA

10. Exempt rights are existing rights for stock or domestic use of groundwater or instream flow. Section 85-2-222(1), MCA.

11. “The first in time is the first in right, and multiple persons may therefore perfect claims to water from the same source as is the case across the breadth of our State.” *BLM v. Barthelmess Ranch Corp.*, 2016 MT 348, ¶ 39, 386 Mont. 121, 133, 386 P.3d 952, 961.

Analysis

Issue 1 - resolution of issue remarks

The ownership issue remark on claim 40N 30138410 provided notice to potential owner, the State of Montana Board of Land Commissioners, that it may have an

ownership interest in the claim. The State of Montana had the opportunity to review the claim and file an objection. The deadline to file objections has expired. The State of Montana did not file an objection to the claim, thereby confirming its lack of ownership interest in the claim. An order provided notice to Valley County of its potential ownership in the claim and set a deadline for Valley County to file an ownership update for the claim if it co-owned the claim. Valley County did not file an ownership update, confirming its lack of ownership interest in the claim. In addition, Buggy Creek Livestock LLLP's proposed modified point of diversion and place of use for claim 40N 30138410 excludes Valley County's property from the legal land descriptions.

DNRC claims examination identified reservoirs within the claimed place of use legal land descriptions for claims 40N 30138408 and 40N 30138410, resulting in the addition of an issue remark to the claims questioning their exempt claim status. The stock claims are existing rights for instream flow and meet the definition of an "exempt claim" for the following reasons: the statements of claim identified the means of diversion as stock drinking directly from the claimed sources, not stored water from reservoirs; the Lee Cornwell¹ Affidavit attached to both statements of claim confirmed that cattle drink directly from the claimed sources, just as done by Buggy Creek Livestock LLLP's predecessor; and Buggy Creek Livestock LLLP's Response reiterated stock drink directly from the sources, not from reservoirs, thereby confirming the historical accuracy of the *prima facie* statements of claim. The statement makes clear that the claims do not include stored water from reservoirs.

Each of the above captioned stock claims are existing rights for instream flow and are timely filed exempt claims. Section 85-2-222(1), MCA. In 2013 and 2017, the Montana Legislature amended § 85-2-222, MCA, and provided for the filing of exempt claims subject to specified terms and conditions. The claims appeared in the Preliminary Decree with the following issue remark:

CLAIM WAS NOT INCLUDED IN THE BASIN 40N PRELIMINARY DECREE ISSUED 08/13/85.

¹ Lee Cornwell is the owner and a member of Buggy Creek Livestock LLLP.

Water users were given the opportunity to review the claims and file an objection. The deadline to file objections has expired. No objections were filed against the claims.

Buggy Creek Livestock LLLP's Response and the United States of America (Bureau of Land Management's) Response both agree that their claims 40N 30138408 and 40N 30143032; 40N 30138410, 40N 30143176, 40N 30143189, and 40N 30143191; and 40N 30138412 and 40N 30143185 have overlapping places of use. Both parties cite to *BLM v. Barthelmess Ranch Corp.*, 2016 MT 348, 386 Mont. 121, 386 P.3d 952, where the Montana Supreme Court held that Montana water law has long recognized the appropriation of water by different parties from the same source, and specifically that a private appropriator and the United States of America (Bureau of Land Management) can have an appropriation from the same source. Both Buggy Creek Livestock LLLP and the United States of America (Bureau of Land Management) may claim the same source. When the appropriations are for livestock direct from source, it necessarily results in overlapping places of use because the place of use is the source. There is no issue to resolve.

Claims 40N 30138412 and 40N 30143185 received an issue remark stating the claims appear to be duplicates. The claims do not claim the same priority date. The claims are not duplicate claims.

Conclusions of law

The issue remarks concerning potential ownership by the State of Montana and Valley County appearing on claim 40N 30138410 served their notice purpose.

Evidence in the claim file, evidence provided to the court, and the *prima facie* proof afforded stock statements of claim 40N 30138408 and 40N 30138410 confirm the claims are existing stock rights for instream flow. Claims 40N 30138408 and 40N 30138410 meet the definition of an exempt right. The issue remark questioning whether the claims include reservoirs does not outweigh the *prima facie* proof afforded the statements of claim. The issue remark questioning the exempt claim status of claims 40N 30138408 and 40N 30138410 is resolved.

The issue remark concerning lack of the claims' inclusion in the previous decree served its notice purpose.

The overlapping place of use issue remark appearing on claims 40N 30138408 and 40N 30143032; 40N 30138410, 40N 3014176, 40N 30143189, and 40N 30143191; and 40N 30138412 and 40N 30143185 does not raise a valid issue that requires resolution by the court.

Claims 40N 30138412 and 40N 30143185 are not duplicate claims. The duplicate claim issue remark on each claim is resolved.

Buggy Creek Livestock LLLP's notice of intent to appear for claims 40N 30138408, 40N 30138410, 40N 30138412, and 40N 30138414 is resolved.

Issues 1, 2 and 3 – point of diversion and place of use claims 40N 30138408 and 40N 30138410; withdrawal of claim 40N 30138414; resolution of overlapping place of use issue remark between Buggy Creek Livestock LLLP claims 40N 30138410 and 40N 30138414

Buggy Creek Livestock LLLP explains the map attached to statement of claim 40N 30138408 correctly depicts the point of diversion and place of use. However, during claims examination, DNRC "corrected some, but not all, of the errors on the Statement of Claim and added new typographical errors." The proposed modifications to point of diversion and place of use should be made to match the map attached to the statement of claim.

Buggy Creek Livestock LLLP explains the map attached to statement of claim 40N 30138410 correctly depicts the point of diversion and place of use. Statement of claim 40N 30138410 does not identify the complete point of diversion and place of use included on the map. DNRC claims examination resulted in a partially correct point of diversion and place of use and included legal land descriptions not meant to be included in the point of diversion and place of use, identified by black ink, not blue ink, on the map. The proposed modifications to point of diversion and place of use should be made to be consistent with the map attached to the statement of claim.

Buggy Creek Livestock LLLP claim 40N 30138414 received an overlapping place of use issue remark. Buggy Creek Livestock LLLP's Response acknowledges that claim 40N 30138408 encompasses the same place of use and point of diversion as a portion of claim 40N 30138414. Buggy Creek Livestock LLLP filed claim 40N 30138414 to cover what appeared to be a distinct source, the South Fork of Bitter Creek. Buggy Creek Livestock LLLP agrees to withdraw water right claim 40N 30138414 if the Water Court recognizes the South Fork of Bitter Creek is an Unnamed Tributary of Chisholm Creek (the source identified by the Preliminary Decree abstracts for both claims), and adds to claim 40N 30138408 a few points of diversion and places of use on the South Fork of Bitter Creek, an Unnamed Tributary of Chisholm Creek, identified by claim 40N 30138414 but not identified by claim 40N 30138408.

Judicial notice is taken of the source index for Basin 40N. Upon review of the source index for Basin 40N, only one claim identifies the South Fork of Bitter Creek and it is located in a different township and range. Accordingly, claim 40N 30138414 should be withdrawn; a few points of diversion and places of use should be added to claim 40N 30138408 on the South Fork of Bitter Creek, an Unnamed Tributary of Chisholm Creek; and Exhibit C-1 of Buggy Creek Livestock LLLP's response should be added to claim file 40N 30138408 as requested by Buggy Creek Livestock LLLP to depict the points of diversion and places of use added to claim 40N 30138408 on the South Fork of Bitter Creek, an Unnamed Tributary of Chisholm Creek.

Conclusions of law

Buggy Creek Livestock LLLP's proposed modifications to claims 40N 30138408 and 40N 30138410 are historically accurate and overcome by a preponderance of evidence the *prima facie* proof afforded each statement of claim where necessary and justify the modifications to each claim.

Claim 40N 30138414 should be dismissed. The dismissal of claim 40N 30138414 moots the overlapping place of use issue remark on the claim.

Buggy Creek Livestock LLLP's notice of intent to appear for claims 40N 30138408, 40N 30138410, 40N 30138412, and 40N 30138414 is resolved.

Recommendations

To accurately reflect historical use, the point of diversion and place of use for claims 40N 30138408 and 40N 30138410 should be modified as depicted by the modified abstracts attached to this report.

Claims 40N 30138412, 40N 30143032, 40N 30143176, 40N 30143185, 40N 30143189, and 40N 30143191 accurately reflect historical use. No changes to the elements of the claims should be made.

Claim 40N 30138414 should be dismissed.

The issue remarks should be removed from the claim abstracts.

Post Decree Abstracts of Water Right Claim accompany this report to confirm implementation of the recommendations in the state's centralized water right record system.

Anna M. Stradley
Senior Water Master

Service via Electronic Mail

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WATER COURT
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N

Water Right Number: **40N 30138408** STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: BUGGY CREEK LIVESTOCK LLLP
PO BOX 1
GLASGOW, MT 59230

Priority Date: AUGUST 28, 1906

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 THIS PURPOSE.

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

Source Name CHISHOLM CREEK

Source Type: SURFACE WATER

Source Name UNNAMED TRIBUTARY OF CHISHOLM CREEK

Source Type: SURFACE WATER

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

ID	Govt Lot	Otr	Sec	Twp	Rge	County
1		E2E2	1	34N	38E	VALLEY
	Source Name:	UNNAMED TRIBUTARY OF CHISHOLM CREEK				
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
2		S2SW	6	34N	38E	VALLEY
	Source Name:	UNNAMED TRIBUTARY OF CHISHOLM CREEK				
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
3			7	34N	38E	VALLEY
	Source Name:	UNNAMED TRIBUTARY OF CHISHOLM CREEK				
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
4		S2N2	8	34N	38E	VALLEY
	Source Name:	UNNAMED TRIBUTARY OF CHISHOLM CREEK				
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				

5	S2	8	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF CHISHOLM CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
6	S2SENE	9	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF CHISHOLM CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
7	S2	9	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF CHISHOLM CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
8	S2S2NW	10	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF CHISHOLM CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
9	S2SE	10	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF CHISHOLM CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
10	SW	10	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF CHISHOLM CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
11	S2	11	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF CHISHOLM CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
12	S2	11	34N	38E	VALLEY
Source Name:	CHISHOLM CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
13	E2NE	12	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF CHISHOLM CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
14	S2	12	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF CHISHOLM CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
15	S2	12	34N	38E	VALLEY
Source Name:	CHISHOLM CREEK				

Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
16		13	34N	38E	VALLEY	
Source Name:	UNNAMED TRIBUTARY OF CHISHOLM CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
17		5	34N	39E	VALLEY	
Source Name:	UNNAMED TRIBUTARY OF CHISHOLM CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
18		6	34N	39E	VALLEY	
Source Name:	UNNAMED TRIBUTARY OF CHISHOLM CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
19		7	34N	39E	VALLEY	
Source Name:	CHISHOLM CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
20		7	34N	39E	VALLEY	
Source Name:	UNNAMED TRIBUTARY OF CHISHOLM CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
21		N2NE	8	34N	39E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF CHISHOLM CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
22		NW	8	34N	39E	VALLEY
Source Name:	CHISHOLM CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
23		NW	8	34N	39E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF CHISHOLM CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
24		N2N2N2	18	34N	39E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF CHISHOLM CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
25		S2SW	29	35N	39E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF CHISHOLM CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					

Diversion Means: LIVESTOCK DIRECT FROM SOURCE
26 E2NE 31 35N 39E VALLEY
Source Name: UNNAMED TRIBUTARY OF CHISHOLM CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
27 S2 31 35N 39E VALLEY
Source Name: UNNAMED TRIBUTARY OF CHISHOLM CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
28 N2NE 32 35N 39E VALLEY
Source Name: UNNAMED TRIBUTARY OF CHISHOLM CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
29 SENE 32 35N 39E VALLEY
Source Name: UNNAMED TRIBUTARY OF CHISHOLM CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
30 SWNW 32 35N 39E VALLEY
Source Name: UNNAMED TRIBUTARY OF CHISHOLM CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
31 SW 32 35N 39E VALLEY
Source Name: UNNAMED TRIBUTARY OF CHISHOLM CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
Period of Use: JANUARY 1 TO DECEMBER 31
Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2E2	1	34N	38E	VALLEY
2			S2SW	6	34N	38E	VALLEY
3				7	34N	38E	VALLEY
4			S2N2	8	34N	38E	VALLEY
5			S2	8	34N	38E	VALLEY
6			S2SENE	9	34N	38E	VALLEY
7			S2	9	34N	38E	VALLEY
8			S2S2NW	10	34N	38E	VALLEY
9			S2SE	10	34N	38E	VALLEY
10			SW	10	34N	38E	VALLEY
11			S2	11	34N	38E	VALLEY
12			E2NE	12	34N	38E	VALLEY
13			S2	12	34N	38E	VALLEY
14			N2	13	34N	38E	VALLEY
15				5	34N	39E	VALLEY
16				6	34N	39E	VALLEY

17		7	34N	39E	VALLEY
18	N2NE	8	34N	39E	VALLEY
19	NW	8	34N	39E	VALLEY
20	N2N2N2	18	34N	39E	VALLEY
21	S2SW	29	35N	39E	VALLEY
22	E2NE	31	35N	39E	VALLEY
23	S2	31	35N	39E	VALLEY
24	N2NE	32	35N	39E	VALLEY
25	SENE	32	35N	39E	VALLEY
26	SWNW	32	35N	39E	VALLEY
27	SW	32	35N	39E	VALLEY

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS.
THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTEnant TO THE
FOLLOWING PRIVATE LANDS: N2 SECTION 12 T34N R38E.

WATER COURT
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N

Water Right Number: **40N 30138410** STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: BUGGY CREEK LIVESTOCK LLLP
PO BOX 1
GLASGOW, MT 59230

Priority Date: AUGUST 28, 1906

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 THIS PURPOSE.

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

Source Name WILLOW CREEK

Source Type: SURFACE WATER

Source Name UNNAMED TRIBUTARY OF WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr	Sec	Twp	Rge	County
1		W2E2	1	34N	38E	VALLEY
	Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK				
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
2		W2	1	34N	38E	VALLEY
	Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK				
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
3		S2N2	2	34N	38E	VALLEY
	Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK				
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
4		S2	2	34N	38E	VALLEY
	Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK				
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				

5		3	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
6	N2N2	4	34N	38E	VALLEY
Source Name:	WILLOW CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
7	SWNW	4	34N	38E	VALLEY
Source Name:	WILLOW CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
8		4	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
9	S2NE	5	34N	38E	VALLEY
Source Name:	WILLOW CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
10	N2NW	5	34N	38E	VALLEY
Source Name:	WILLOW CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
11	SENW	5	34N	38E	VALLEY
Source Name:	WILLOW CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
12	N2N2SE	5	34N	38E	VALLEY
Source Name:	WILLOW CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
13		5	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
14	NENE	6	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
15	N2NENE	6	34N	38E	VALLEY
Source Name:	WILLOW CREEK				

Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
16		S2NE	6	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
17		SE	6	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
18		E2SW	6	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
19		N2N2	8	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
20		N2S2NE	8	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
21		N2SENW	8	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
22		N2	9	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
23		N2SW	9	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
24		N2	10	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
25		N2SE	10	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					

Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
26		N2	11	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
27		NWSW	11	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
28		W2NE	12	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
29		NW	12	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
30		NWSW	12	34N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
31		SENE	23	35N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
32		SE	23	35N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
33		S2NESE	23	35N	38E	VALLEY
Source Name:	WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
34		S2SE	23	35N	38E	VALLEY
Source Name:	WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
35		S2SESW	23	35N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
36		S2S2N2	24	35N	38E	VALLEY

Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
37	SWSENW	24	35N	38E	VALLEY	
Source Name:	WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
38	SESWNW	24	35N	38E	VALLEY	
Source Name:	WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
39	S2	24	35N	38E	VALLEY	
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
40	NWSW	24	35N	38E	VALLEY	
Source Name:	WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
41	25	35N	38E	VALLEY		
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
42	E2	26	35N	38E	VALLEY	
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
43	N2NENE	26	35N	38E	VALLEY	
Source Name:	WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
44	W2NE	26	35N	38E	VALLEY	
Source Name:	WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
45	NW	26	35N	38E	VALLEY	
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
46	SESENW	26	35N	38E	VALLEY	
Source Name:	WILLOW CREEK					

Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
47		NE	27	35N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
48		S2N2NW	27	35N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
49		S2NW	27	35N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
50		SW	27	35N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
51		E2NE	28	35N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
52		SE	28	35N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
53		S2NESW	28	35N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
54		S2SW	28	35N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
55		SWSWSW	32	35N	38E	VALLEY
Source Name:	WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
56		S2SE	33	35N	38E	VALLEY
Source Name:	WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					

Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
57		S2SESW	33	35N	38E	VALLEY
Source Name:	WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
58		33	35N	38E	VALLEY	
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
59		E2SENW	34	35N	38E	VALLEY
Source Name:	WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
60		E2SW	34	35N	38E	VALLEY
Source Name:	WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
61		SWSW	34	35N	38E	VALLEY
Source Name:	WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
62		W2	34	35N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
63		N2	35	35N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
64		NWNW	35	35N	38E	VALLEY
Source Name:	WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
65		N2S2	35	35N	38E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
66		32	35N	38E	VALLEY	
Source Name:	UNNAMED TRIBUTARY OF WILLOW CREEK					
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
67		36	35N	38E	VALLEY	

Source Name: UNNAMED TRIBUTARY OF WILLOW CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
68 19 35N 39E VALLEY
Source Name: UNNAMED TRIBUTARY OF WILLOW CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
69 W2SE 20 35N 39E VALLEY
Source Name: UNNAMED TRIBUTARY OF WILLOW CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
70 SW 20 35N 39E VALLEY
Source Name: UNNAMED TRIBUTARY OF WILLOW CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
71 W2NE 29 35N 39E VALLEY
Source Name: UNNAMED TRIBUTARY OF WILLOW CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
72 NW 29 35N 39E VALLEY
Source Name: UNNAMED TRIBUTARY OF WILLOW CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
73 N2 30 35N 39E VALLEY
Source Name: UNNAMED TRIBUTARY OF WILLOW CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
74 SE 29 35N 39E VALLEY
Source Name: UNNAMED TRIBUTARY OF WILLOW CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
Period of Use: JANUARY 1 TO DECEMBER 31

***Place of Use:**

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			W2E2	1	34N	38E	VALLEY
2			W2	1	34N	38E	VALLEY
3			S2N2	2	34N	38E	VALLEY
4			S2	2	34N	38E	VALLEY
5				3	34N	38E	VALLEY
6			N2N2	4	34N	38E	VALLEY
7			SWNW	4	34N	38E	VALLEY
8				4	34N	38E	VALLEY
9			S2NE	5	34N	38E	VALLEY

10	SENW	5	34N	38E	VALLEY
11	N2NW	5	34N	38E	VALLEY
12	N2N2SE	5	34N	38E	VALLEY
13		5	34N	38E	VALLEY
14	NENE	6	34N	38E	VALLEY
15	N2NENE	6	34N	38E	VALLEY
16	S2NE	6	34N	38E	VALLEY
17	SE	6	34N	38E	VALLEY
18	E2SW	6	34N	38E	VALLEY
19	N2N2	8	34N	38E	VALLEY
20	N2S2NE	8	34N	38E	VALLEY
21	N2SENW	8	34N	38E	VALLEY
22	N2	9	34N	38E	VALLEY
23	N2SW	9	34N	38E	VALLEY
24	N2	10	34N	38E	VALLEY
25	N2SE	10	34N	38E	VALLEY
26	N2	11	34N	38E	VALLEY
27	NWSW	11	34N	38E	VALLEY
28	W2NE	12	34N	38E	VALLEY
29	NW	12	34N	38E	VALLEY
30	NWSW	12	34N	38E	VALLEY
31	SENE	23	35N	38E	VALLEY
32	SE	23	35N	38E	VALLEY
33	S2NESE	23	35N	38E	VALLEY
34	S2SE	23	35N	38E	VALLEY
35	S2SESW	23	35N	38E	VALLEY
36	SWSENW	24	35N	38E	VALLEY
37	SESWNW	24	35N	38E	VALLEY
38	S2	24	35N	38E	VALLEY
39	S2S2N2	24	35N	38E	VALLEY
40	NWSW	24	35N	38E	VALLEY
41		25	35N	38E	VALLEY
42	E2	26	35N	38E	VALLEY
43	N2NENE	26	35N	38E	VALLEY
44	W2NE	26	35N	38E	VALLEY
45	NW	26	35N	38E	VALLEY
46	SESENW	26	35N	38E	VALLEY
47	NE	27	35N	38E	VALLEY
48	S2N2NW	27	35N	38E	VALLEY
49	S2NW	27	35N	38E	VALLEY
50	SW	27	35N	38E	VALLEY
51	E2NE	28	35N	38E	VALLEY
52	SE	28	35N	38E	VALLEY
53	S2NESW	28	35N	38E	VALLEY
54	S2SW	28	35N	38E	VALLEY
55	SWSWSW	32	35N	38E	VALLEY
56		32	35N	38E	VALLEY

57	S2SE	33	35N	38E	VALLEY
58	S2SESW	33	35N	38E	VALLEY
59		33	35N	38E	VALLEY
60	E2SENW	34	35N	38E	VALLEY
61	E2SW	34	35N	38E	VALLEY
62	SWSW	34	35N	38E	VALLEY
63	W2	34	35N	38E	VALLEY
64	N2	35	35N	38E	VALLEY
65	NWNW	35	35N	38E	VALLEY
66	N2S2	35	35N	38E	VALLEY
67		36	35N	38E	VALLEY
68		19	35N	39E	VALLEY
69	W2SE	20	35N	39E	VALLEY
70	SW	20	35N	39E	VALLEY
71	W2NE	29	35N	39E	VALLEY
72	NW	29	35N	39E	VALLEY
73	SE	29	35N	39E	VALLEY
74	N2	30	35N	39E	VALLEY

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS.
THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURtenant TO THE
FOLLOWING PRIVATE LANDS: SECTION 25 T35N R38E, SECTION 12 T34N R38E.

WATER COURT
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N

Water Right Number: **40N 30138412** STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners:
BUGGY CREEK LIVESTOCK LLLP
PO BOX 1
GLASGOW, MT 59230

Priority Date: AUGUST 28, 1906

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 THIS PURPOSE.

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

Source Name WILLOW CREEK, WEST FORK

Source Type: SURFACE WATER

THE SOURCE INCLUDES UNNAMED TRIBUTARIES OF WILLOW CREEK, WEST FORK.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr	Sec	Twp	Rge	County
1		N2	32	35N	38E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr	Sec	Twp	Rge	County
1			N2	32	35N	38E	VALLEY

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURtenant TO THE FOLLOWING PRIVATE LANDS: N2 SECTION 12 T34N R38E.

WATER COURT
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N

Water Right Number: **40N 30138414 STATEMENT OF CLAIM**

Version: **2 -- POST DECREE**

Status: **DISMISSED**

Owners:
BUGGY CREEK LIVESTOCK LLLP
PO BOX 1
GLASGOW, MT 59230

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): STOCK

Flow Rate:

Volume:

Source Name: UNNAMED TRIBUTARY OF CHISHOLM CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS DISMISSED BY ORDER OF THE WATER COURT.

WATER COURT
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N

Water Right Number: **40N 30143032** STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
5001 SOUTHGATE DR
BILLINGS, MT 59101 4669

Priority Date: JULY 11, 1935

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 THIS PURPOSE.

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

Source Name CHISHOLM CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Otr Sec	Sec	Twp	Rge	County
1		NWSE	11	34N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		SESE	11	34N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		SWSE	11	34N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4		NESE	12	34N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
5		NWSE	12	34N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
6		SESW	12	34N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					

7 SWSE 12 34N 38E VALLEY
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
8 SWSW 12 34N 38E VALLEY
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
9 NWSE 7 34N 39E VALLEY
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
10 SENE 7 34N 39E VALLEY
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
11 SWNE 7 34N 39E VALLEY
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
12 3 7 34N 39E VALLEY
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
13 4 7 34N 39E VALLEY
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
14 5 7 34N 39E VALLEY
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
15 6 7 34N 39E VALLEY
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
16 7 7 34N 39E VALLEY
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
17 SWNW 8 34N 39E VALLEY
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
Period of Use: JANUARY 1 TO DECEMBER 31
Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Otr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSE	11	34N	38E	VALLEY
2			SESE	11	34N	38E	VALLEY
3			SWSE	11	34N	38E	VALLEY
4			NESE	12	34N	38E	VALLEY
5			NWSE	12	34N	38E	VALLEY
6			SWSE	12	34N	38E	VALLEY
7			SESW	12	34N	38E	VALLEY

8		SWSW	12	34N	38E	VALLEY
9		SENE	7	34N	39E	VALLEY
10		SWNE	7	34N	39E	VALLEY
11		NWSE	7	34N	39E	VALLEY
12	3		7	34N	39E	VALLEY
13	4		7	34N	39E	VALLEY
14	5		7	34N	39E	VALLEY
15	6		7	34N	39E	VALLEY
16	7		7	34N	39E	VALLEY
17		SWNW	8	34N	39E	VALLEY

Remarks:

BLM FILED ELECTRONIC CLAIMS. THIS CLAIM REFERENCES BLM CLAIM ID BLM3674 AND GRAZING ALLOTMENT MT04053.

WATER COURT
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N

Water Right Number: **40N 30143176** STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
5001 SOUTHGATE DR
BILLINGS, MT 59101 4669

Priority Date: JULY 11, 1935

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 THIS PURPOSE.

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

Source Name UNNAMED TRIBUTARY OF WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Otr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2NE	3	34N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		SENW	3	34N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3	3		3	34N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4	4		3	34N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
5	1		4	34N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
Period of Use:	JANUARY 1 TO DECEMBER 31					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2NE	3	34N	38E	VALLEY
2			SENW	3	34N	38E	VALLEY
3	3			3	34N	38E	VALLEY
4	4			3	34N	38E	VALLEY
5	1			4	34N	38E	VALLEY

Remarks:

BLM FILED ELECTRONIC CLAIMS. THIS CLAIM REFERENCES BLM CLAIM ID BLM3818 AND GRAZING ALLOTMENT MT04053.

WATER COURT
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N

Water Right Number: **40N 30143185** STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
5001 SOUTHGATE DR
BILLINGS, MT 59101 4669

Priority Date: JULY 11, 1935

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 THIS PURPOSE.

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

Source Name WILLOW CREEK, WEST FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNW	32	35N	38E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNW	32	35N	38E	VALLEY

Remarks:

BLM FILED ELECTRONIC CLAIMS. THIS CLAIM REFERENCES BLM CLAIM ID BLM3827 AND GRAZING ALLOTMENT MT04053.

WATER COURT
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N

Water Right Number: **40N 30143189** STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
5001 SOUTHGATE DR
BILLINGS, MT 59101 4669

Priority Date: JULY 11, 1935

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 THIS PURPOSE.

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

Source Name WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Otr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2SE	13	35N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		N2NE	24	35N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		NW	24	35N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4		NESE	8	35N	39E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
5		SESE	8	35N	39E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
6		SESESE	22	36N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					

7 N2SW 23 36N 38E VALLEY
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
8 SWSW 23 36N 38E VALLEY
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
9 NENE 27 36N 38E VALLEY
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			S2SE	13	35N	38E	VALLEY
2			N2NE	24	35N	38E	VALLEY
3			NW	24	35N	38E	VALLEY
4			NESE	8	35N	39E	VALLEY
5			SESW	8	35N	39E	VALLEY
6			SESESE	22	36N	38E	VALLEY
7			N2SW	23	36N	38E	VALLEY
8			SWSW	23	36N	38E	VALLEY
9			NENE	27	36N	38E	VALLEY

Remarks:

BLM FILED ELECTRONIC CLAIMS. THIS CLAIM REFERENCES BLM CLAIM ID BLM3831 AND GRAZING ALLOTMENT MT04041.

WATER COURT
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N

Water Right Number: **40N 30143191 STATEMENT OF CLAIM**

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
5001 SOUTHGATE DR
BILLINGS, MT 59101 4669

Priority Date: JULY 11, 1935

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 THIS PURPOSE.

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

Source Name WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Otr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2N2	4	34N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		SWNW	4	34N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		S2NE	5	34N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4		N2NW	5	34N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
5		SENW	5	34N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
6		1	6	34N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					

7		E2SE	23	35N	38E	VALLEY
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
8		SWSE	23	35N	38E	VALLEY
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
9		S2NW	24	35N	38E	VALLEY
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
10		N2SW	24	35N	38E	VALLEY
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
11		SWSW	24	35N	38E	VALLEY
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
12		N2NE	26	35N	38E	VALLEY
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
13		SWNE	26	35N	38E	VALLEY
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
14		SENW	26	35N	38E	VALLEY
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
15		SESE	31	35N	38E	VALLEY
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
16		SWSW	32	35N	38E	VALLEY
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
17		SESE	33	35N	38E	VALLEY
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
18		SWSE	33	35N	38E	VALLEY
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
19		SESW	33	35N	38E	VALLEY
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
20		SENW	34	35N	38E	VALLEY
	Period of Diversion:	JANUARY 1 TO DECEMBER 31				
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				

21	NE	SW	34	35N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
22	S	2SW	34	35N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
23	N	W	35	35N	38E	VALLEY
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
	THE POINT OF DIVERSION INCLUDES GOVT LOT 1, 2, 3, & 4 IN SEC 4 TWP 34N RGE 38E VALLEY COUNTY.					
	THE POINT OF DIVERSION INCLUDES GOVT LOT 3 & 4 IN SEC 5 TWP 34N RGE 38E VALLEY COUNTY.					
Period of Use:	JANUARY 1 TO DECEMBER 31					

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2N2	4	34N	38E	VALLEY
2			SWNW	4	34N	38E	VALLEY
3			S2NE	5	34N	38E	VALLEY
4			N2NW	5	34N	38E	VALLEY
5			SENW	5	34N	38E	VALLEY
6		1		6	34N	38E	VALLEY
7			E2SE	23	35N	38E	VALLEY
8			SWSE	23	35N	38E	VALLEY
9			S2NW	24	35N	38E	VALLEY
10			N2SW	24	35N	38E	VALLEY
11			SWSW	24	35N	38E	VALLEY
12			N2NE	26	35N	38E	VALLEY
13			SWNE	26	35N	38E	VALLEY
14			SENW	26	35N	38E	VALLEY
15			SESE	31	35N	38E	VALLEY
16			SWSW	32	35N	38E	VALLEY
17			SESE	33	35N	38E	VALLEY
18			SWSE	33	35N	38E	VALLEY
19			SESW	33	35N	38E	VALLEY
20			SENW	34	35N	38E	VALLEY
21			NESW	34	35N	38E	VALLEY
22			S2SW	34	35N	38E	VALLEY
23			NWNW	35	35N	38E	VALLEY

THE PLACE OF USE INCLUDES GOVT LOT 1, 2, 3, & 4 IN SEC 4 TWP 34N RGE 38E VALLEY COUNTY.

THE PLACE OF USE INCLUDES GOVT LOT 3 & 4 IN SEC 5 TWP 34N RGE 38E VALLEY COUNTY.

Remarks:

BLM FILED ELECTRONIC CLAIMS. THIS CLAIM REFERENCES BLM CLAIM ID BLM3833 AND GRAZING ALLOTMENT MT04053.

Hydrography of the East Fork Willow Creek Allotment, Valley County, Montana

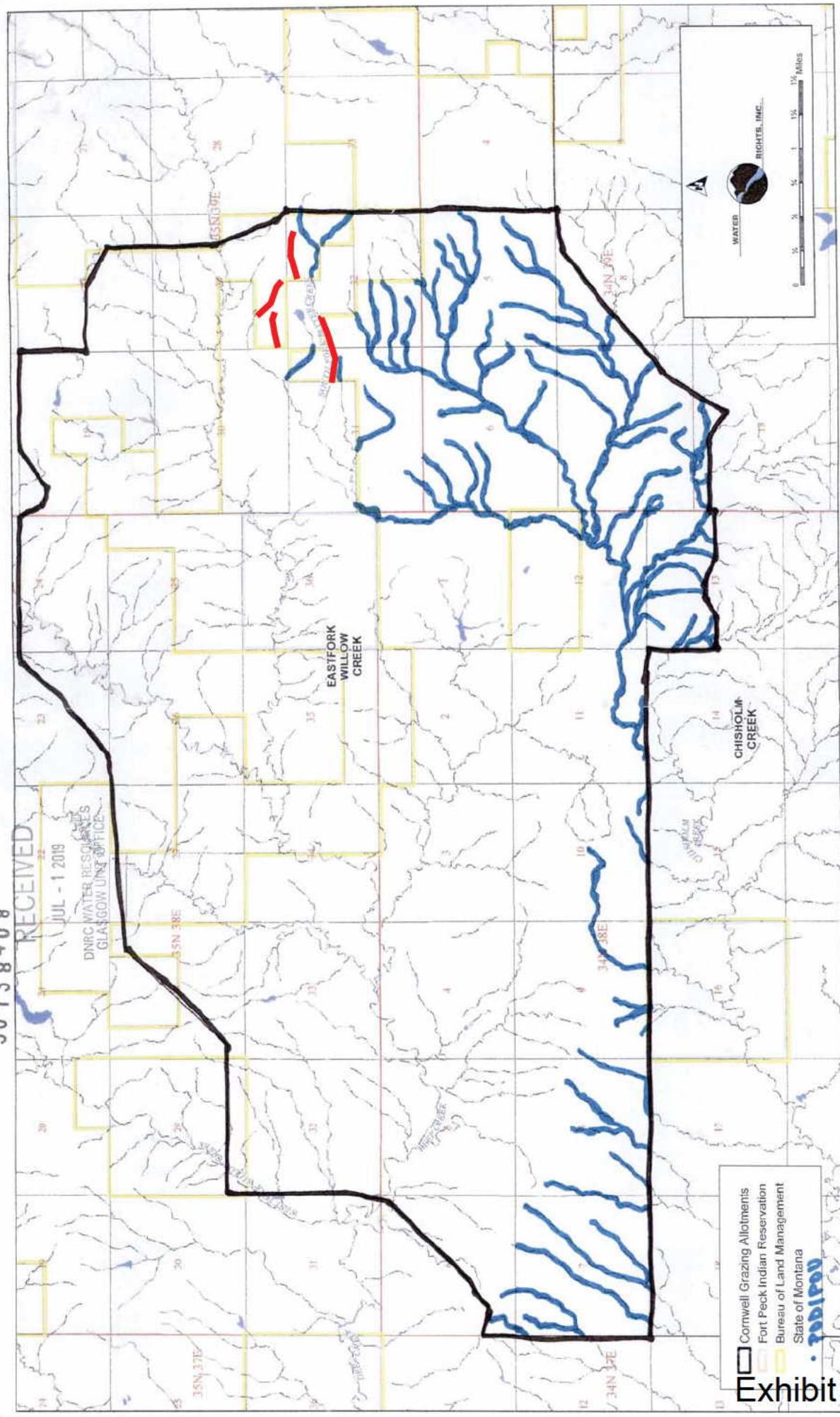


Exhibit C - 1