

IN THE WATER COURT OF THE STATE OF MONTANA
LOWER MISSOURI DIVISION
BIG DRY CREEK - BASIN (40D)
PRELIMINARY DECREE

CLAIMANT: USA (Dept of Interior
Bureau of Land Mgmt)

OBJECTOR: USA (Dept of Interior
Bureau of Land Mgmt)

CASE 40D-0025-R-2022

40D 63275-00	40D 63336-00	40D 63351-00
40D 63276-00	40D 63337-00	40D 63352-00
40D 63279-00	40D 63338-00	40D 63353-00
40D 63280-00	40D 63339-00	40D 63354-00
40D 63281-00	40D 63340-00	40D 63357-00
40D 63282-00	40D 63341-00	40D 63358-00
40D 63329-00	40D 63342-00	40D 63359-00
40D 63330-00	40D 63345-00	40D 63360-00
40D 63331-00	40D 63346-00	40D 63361-00
40D 63332-00	40D 63347-00	40D 63363-00
40D 63333-00	40D 63348-00	40D 63373-00
40D 63334-00	40D 63349-00	40D 63374-00
40D 63335-00	40D 63350-00	

ORDER AMENDING AND ADOPTING MASTER'S REPORT

Pursuant to Montana Code Annotated, § 85-2-233(5), the above entitled case was assigned to Water Master Julia Nordlund. The Water Master filed a report containing Findings of Fact and Conclusions of Law with the Clerk of Court. Copies of the report were served upon the parties on June 30, 2022. Claimant/Objector filed an Objection to the Master's Report. The objection requested abstracts for claims 40D 63345-00 and 40D 63346-00 be amended to match the volume spelled out in the Master's Report. The Court inadvertently adopted the typographical error contained in United States' Declaration. Both claims should have a volume of 4 acre-feet.

The Court has reviewed the Water Master's Findings and Conclusions. Pursuant to Rule 53(e), Montana Rules of Civil Procedure, the Court **ADOPTS** the June 30, 2022 Master's Report, but

ORDERS that the **Post Decree Abstracts of Water Right Claims 40D 63345-00 and 40D 63346-00** be served with this Order to confirm that the recommendations set forth in the Master's Report, have been adopted for the claims.

Stephen Brown
Associate Water Judge

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WATER COURT
ABSTRACT OF WATER RIGHT CLAIM
BIG DRY CREEK
BASIN 40D

Water Right Number: 40D 63345-00 STATEMENT OF CLAIM
Version: 3 -- POST DECREE
Status: ACTIVE

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

Priority Date: OCTOBER 19, 1957

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

***Volume:** 4.00 AC-FT

Source Name UNNAMED TRIBUTARY OF LANGS FORK 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		NWNW	31	17N	40E	GARFIELD

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNW	31	17N	40E	GARFIELD

Diversion to Reservoir: DIVERSION # 1

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			NWNW	31	17N	40E	GARFIELD

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.

63345-00

63346-00

WATER COURT
ABSTRACT OF WATER RIGHT CLAIM
BIG DRY CREEK
BASIN 40D

Water Right Number: 40D 63346-00 STATEMENT OF CLAIM
Version: 3 -- POST DECREE
Status: ACTIVE

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

Priority Date: OCTOBER 19, 1957

Type of Historical Right: USE

Purpose (use): WILDLIFE

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

***Volume:** 4.00 AC-FT

Source Name UNNAMED TRIBUTARY OF LANGS FORK 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		NWNW	31	17N	40E	GARFIELD

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNW	31	17N	40E	GARFIELD

Diversion to Reservoir: DIVERSION # 1

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			NWNW	31	17N	40E	GARFIELD

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63345-00

63346-00