

41H-0010-R-2020

July 6, 2022

Montana Water Court

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

* * * * *

CLAIMANTS:	Andy M. Douma; David L. Genter ; Clark V. Johnson; Cynthia Johnson; Heidemarie McLoughlin ; Dykstra Farms, LLC, Gary E. Dykstra, and Harmina J. Dykstra; Clearview Investments LLC; Lance Johnson; Jenna M. Johnson	CASE 41H-0010-R-2020
		41H 6701-00 41H 30153483
		41H 6702-00 41H 30153484
		41H 6703-00 41H 30153485
		41H 6704-00 41H 30153486
		41H 6705-00 41H 30153487
OBJECTORS:	Andy M. Douma; Dykstra Farms, LLC, Gary E. Dykstra, and Harmina J. Dykstra	41H 114917-00 41H 30153488
		41H 150751-00 41H 30153489
		41H 150752-00 41H 30153490
COUNTEROBJECTORS:	Arnold E. Kallestad	41H 30153480 41H 30153491
		41H 30153481 41H 30153492
		41H 30153482 41H 30153493

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, conclusion 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

The claims in this case appeared in the Preliminary Decree for Basin 41H with Montana Department of Natural Resources and Conservation (DNRC) issue remarks. The claims received objections from Andy Douma, Dykstra Farm, LLC, Gary and Harmina Dykstra and a counterobjection from Arnold Kallestad.

FINDINGS OF FACT

1. On April 13, 2022, Parties submitted a Stipulation Settling Claims.
2. The Parties agreed to the same changes for each of the claims except claim 41H 114917-00.
3. The only change to claim 41H 114917-00 from the March 31, 2022, Stipulation is to add an information remark under the place of use, "STOCK DRINK FROM THE SOURCE IN THE SE, SEC1 T1N R3E WITHIN PARCELS 1, 2, AND 3, C.O.S. 1759A."
4. The point of diversion for each of the remaining claims in this case, as standardized by Water Court Case 41H-0215-R-2020, is the NENWNE Sec. 30 Twp. 1N, Rge. 4E. An information remark should be added to describe the point of diversion, "WATER IS DIVERTED FROM THE WEST GALLATIN RIVER THROUGH THE LOWER CREAMERY DITCH AND IS CONVEYED TO BULLRUN CREEK WHICH ACTS AS A NATURAL CARRIER THROUGH SEC. 17 T1N R4E UNTIL IT INTERSECTS AGAIN WITH THE LOWER CREAMERY DITCH AND LATERALS/DIVERSIONS IN THE SW SEC 5 AND S2S2 SEC 8 T1N R4E."
5. All the split claims (described below) owned by Clearview Investments should have the spelling corrected to Rieschel and POU ID 3 corrected to W2SE Sec. 5, Twp. 1N, Rge. 4E.
6. Prior to submitting the Stipulation, Parties (and former owners) submitted several 641 Split forms to DNRC, which were sent to the Court on June 1, 2021.
7. Based on the filings received from Claimants and DNRC, two new water

right claim numbers should be created from each parent claim, as follows:

8. From parent claim 41H 6701-00, claims 41H 30153480 and 41H 30153481 should be created. The original claim number shall stay in the name of the Claimant Andy Douma. New claim number 41H 30153480 shall be Clearview Investments' portion of the original claim. New claim number 41H 30153481 shall belong to Gary Dykstra, Harmina Dykstra, and Dykstra Farms LLC.

9. The elements for claim 41H 6701-00 that changed after the split are:

OWNER: ANDY DOUMA
 FLOW RATE: ~~1.88 CFS~~ **0.3 CFS**
 MAXIMUM ACRES: ~~495.0~~ **80**
 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	80.00		W2SW	5	1N	4E	GALLATIN
2	60.00		E2SW	5	1N	4E	GALLATIN
3	60.00		W2SW	5	1N	4E	GALLATIN
4	125.00		SE	6	1N	4E	GALLATIN
5	90.00		SW	6	1N	4E	GALLATIN
6	80.00		S2NW	6	1N	4E	GALLATIN
Total:	495.00 80						

10. The elements of new claim 41H 30153480 are the exact same as parent claim 41H 6701-00, except the following elements:

OWNER: CLEARVIEW INVESTMENTS
 FLOW RATE: ~~1.88 CFS~~ **0.45 CFS**
 MAXIMUM ACRES: ~~495.0~~ **120**
 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	80.00		W2SW	5	1N	4E	GALLATIN
2	60.00		E2SW	5	1N	4E	GALLATIN
3	60.00		W2SW W2SE	5	1N	4E	GALLATIN
4	125.00		SE	6	1N	4E	GALLATIN
5	90.00		SW	6	1N	4E	GALLATIN
6	80.00		S2NW	6	1N	4E	GALLATIN
Total:	495.00 120						

11. The elements of new claim 41H 30153481 are the exact same as parent claim 41H 6701-00, except the following elements:

OWNER: GARY DYKSTRA, HARMINA DYKSTRA, AND DYKSTRA FARMS LLC

FLOW RATE: ~~1.88 CFS~~ **1.13 CFS**

MAXIMUM ACRES: ~~495.0~~ **295**

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	80.00		W2SW	5	1N	4E	GALLATIN
2	60.00		E2SW	5	1N	4E	GALLATIN
3	60.00		W2SW	5	1N	4E	GALLATIN
4	125.00		SE	6	1N	4E	GALLATIN
5	90.00		SW	6	1N	4E	GALLATIN
6	80.00		S2NW	6	1N	4E	GALLATIN
Total:	495.00 295						

12. From parent claim 41H 6702-00, claims 41H 30153482 and 41H 30153483 should be created. The original claim number shall stay in the name of the Claimant Andy Douma. New claim number 41H 30153482 shall be Clearview Investments' portion of the original claim. New claim number 41H 30153483 shall belong to Gary Dykstra, Harmina Dykstra, and Dykstra Farms LLC.

13. The elements for claim 41H 6702-00 that changed after the split are:

OWNER: ANDY DOUMA

FLOW RATE: ~~2.0 CFS~~ **0.32 CFS**

MAXIMUM ACRES: ~~495.0~~ **80**

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	80.00		W2SW	5	1N	4E	GALLATIN
2	60.00		E2SW	5	1N	4E	GALLATIN
3	60.00		W2SW	5	1N	4E	GALLATIN
4	125.00		SE	6	1N	4E	GALLATIN
5	90.00		SW	6	1N	4E	GALLATIN
6	80.00		S2NW	6	1N	4E	GALLATIN
Total:	495.00 80						

14. The elements of new claim 41H 30153482 are the exact same as parent claim 41H 6702-00, except the following elements:

OWNER: CLEARVIEW INVESTMENTS

FLOW RATE: ~~2.0 CFS~~ **0.48 CFS**

MAXIMUM ACRES: ~~495.0~~ 120

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	80.00		W2SW	5	1N	4E	GALLATIN
2	60.00		E2SW	5	1N	4E	GALLATIN
3	60.00	W2SE	W2SW	5	1N	4E	GALLATIN
4	125.00		SE	6	1N	4E	GALLATIN
5	90.00		SW	6	1N	4E	GALLATIN
6	80.00		S2NW	6	1N	4E	GALLATIN
Total:	495.00	120					

15. The elements of new claim 41H 30153483 are the exact same as parent claim 41H 6702-00, except the following elements:

OWNER: GARY DYKSTRA, HARMINA DYKSTRA, AND DYKSTRA FARMS LLC

FLOW RATE: ~~2.0 CFS~~ 1.2 CFS

MAXIMUM ACRES: ~~495.0~~ 295

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	80.00		W2SW	5	1N	4E	GALLATIN
2	60.00		E2SW	5	1N	4E	GALLATIN
3	60.00		W2SW	5	1N	4E	GALLATIN
4	125.00		SE	6	1N	4E	GALLATIN
5	90.00		SW	6	1N	4E	GALLATIN
6	80.00		S2NW	6	1N	4E	GALLATIN
Total:	495.00	295					

16. From parent claim 41H 6703-00, claims 41H 30153484 and 41H 30153485 should be created. The original claim number shall stay in the name of the Claimant Andy Douma. New claim number 41H 30153484 shall be Clearview Investments' portion of the original claim. New claim number 41H 30153485 shall belong to Gary Dykstra, Harmina Dykstra, and Dykstra Farms LLC.

17. The elements for claim 41H 6703-00 that changed after the split are:

OWNER: ANDY DOUMA

FLOW RATE: ~~8.25 CFS~~ 1.32 CFS

MAXIMUM ACRES: ~~495.0~~ 80

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	80.00		W2SW	5	1N	4E	GALLATIN
2	60.00		E2SW	5	1N	4E	GALLATIN
3	60.00		W2SW	5	1N	4E	GALLATIN
4	125.00		SE	6	1N	4E	GALLATIN
5	90.00		SW	6	1N	4E	GALLATIN
6	80.00		S2NW	6	1N	4E	GALLATIN
Total:	<u>495.00</u>	80					

18. The elements of new claim 41H 30153484 are the exact same as parent claim 41H 6703-00, except the following elements:

OWNER: CLEARVIEW INVESTMENTS

FLOW RATE: ~~8.25 CFS~~ **1.98 CFS**

MAXIMUM ACRES: ~~495.0~~ **120**

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	80.00		W2SW	5	1N	4E	GALLATIN
2	60.00		E2SW	5	1N	4E	GALLATIN
3	60.00	W2SE	W2SW	5	1N	4E	GALLATIN
4	125.00		SE	6	1N	4E	GALLATIN
5	90.00		SW	6	1N	4E	GALLATIN
6	80.00		S2NW	6	1N	4E	GALLATIN
Total:	<u>495.00</u>	120					

19. The elements of new claim 41H 30153485 are the exact same as parent claim 41H 6703-00 except the following elements:

OWNER: GARY DYKSTRA, HARMINA DYKSTRA, AND DYKSTRA FARMS LLC

FLOW RATE: ~~8.25 CFS~~ **4.95 CFS**

MAXIMUM ACRES: ~~495.0~~ **295**

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	80.00		W2SW	5	1N	4E	GALLATIN
2	60.00		E2SW	5	1N	4E	GALLATIN
3	60.00		W2SW	5	1N	4E	GALLATIN
4	125.00		SE	6	1N	4E	GALLATIN
5	90.00		SW	6	1N	4E	GALLATIN
6	80.00		S2NW	6	1N	4E	GALLATIN
Total:	<u>495.00</u>	295					

20. From parent claim 41H 6704-00, claims 41H 30153486 and 41H 30153487 should be created. The original claim number shall stay in the name of the Claimant Andy Douma. New claim number 41H 30153486 shall be Clearview Investments' portion of the original claim. New claim number 41H 30153487 shall belong to Gary Dykstra, Harmina Dykstra, and Dykstra Farms LLC.

21. The elements for claim 41H 6704-00 that changed after the split are:

OWNER: ANDY DOUMA
 FLOW RATE: ~~1.88 CFS~~ **0.3 CFS**
 MAXIMUM ACRES: ~~495.0~~ **80**
 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	80.00		W2SW	5	1N	4E	GALLATIN
2	60.00		E2SW	5	1N	4E	GALLATIN
3	60.00		W2SW	5	1N	4E	GALLATIN
4	125.00		SE	6	1N	4E	GALLATIN
5	90.00		SW	6	1N	4E	GALLATIN
6	80.00		S2NW	6	1N	4E	GALLATIN
Total:	<u>495.00</u>						80

22. The elements of new claim 41H 30153486 are the exact same as parent claim 41H 6704-00, except the following elements:

OWNER: CLEARVIEW INVESTMENTS
 FLOW RATE: ~~1.88 CFS~~ **0.45 CFS**
 MAXIMUM ACRES: ~~495.0~~ **120**
 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	80.00		W2SW	5	1N	4E	GALLATIN
2	60.00		E2SW	5	1N	4E	GALLATIN
3	60.00		W2SW	5	1N	4E	GALLATIN
4	125.00		SE	6	1N	4E	GALLATIN
5	90.00		SW	6	1N	4E	GALLATIN
6	80.00		S2NW	6	1N	4E	GALLATIN
Total:	<u>495.00</u>						120

23. The elements of new claim 41H 30153487 are the exact same as parent claim 41H 6704-00 except the following elements:

OWNER: GARY DYKSTRA, HARMINA DYKSTRA, AND DYKSTRA FARMS LLC
 FLOW RATE: ~~1.88 CFS~~ **1.13 CFS**

MAXIMUM ACRES: ~~495.0~~ 295

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	80.00		W2SW	5	1N	4E	GALLATIN
2	60.00		E2SW	5	1N	4E	GALLATIN
3	60.00		W2SW	5	1N	4E	GALLATIN
4	125.00		SE	6	1N	4E	GALLATIN
5	90.00		SW	6	1N	4E	GALLATIN
6	80.00		S2NW	6	1N	4E	GALLATIN
Total:	495.00 295						

24. From parent claim 41H 6705-00, claims 41H 30153488 and 41H 30153489 should be created. The original claim number shall stay in the name of the Claimant Andy Douma. New claim number 41H 30153488 shall be Clearview Investments' portion of the original claim. New claim number 41H 30153489 shall belong to Gary Dykstra, Harmina Dykstra, and Dykstra Farms LLC.

25. The elements for claim 41H 6705-00 that changed after the split are:

OWNER: ANDY DOUMA

FLOW RATE: ~~2.5 CFS~~ 0.4 CFS

MAXIMUM ACRES: ~~495.0~~ 80

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	80.00		W2SW	5	1N	4E	GALLATIN
2	60.00		E2SW	5	1N	4E	GALLATIN
3	60.00		W2SW	5	1N	4E	GALLATIN
4	125.00		SE	6	1N	4E	GALLATIN
5	90.00		SW	6	1N	4E	GALLATIN
6	80.00		S2NW	6	1N	4E	GALLATIN
Total:	495.00 80						

26. The elements of new claim 41H 30153488 are the exact same as parent claim 41H 6705-00, except the following elements:

OWNER: CLEARVIEW INVESTMENTS

FLOW RATE: ~~2.5 CFS~~ 0.6 CFS

MAXIMUM ACRES: ~~495.0~~ 120

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	80.00		W2SW	5	1N	4E	GALLATIN
2	60.00		E2SW	5	1N	4E	GALLATIN
3	60.00	W2SE	W2SW	5	1N	4E	GALLATIN
4	125.00		SE	6	1N	4E	GALLATIN
5	90.00		SW	6	1N	4E	GALLATIN
6	80.00		S2NW	6	1N	4E	GALLATIN
Total:	495.00	120					

27. The elements of new claim 41H 30153489 are the exact same as parent claim 41H 6705-00, except the following elements:

OWNER: GARY DYKSTRA, HARMINA DYKSTRA, AND DYKSTRA FARMS LLC
FLOW RATE: ~~2.5 CFS~~ 1.5 CFS
MAXIMUM ACRES: ~~495.0~~ 295
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	80.00		W2SW	5	1N	4E	GALLATIN
2	60.00		E2SW	5	1N	4E	GALLATIN
3	60.00		W2SW	5	1N	4E	GALLATIN
4	125.00		SE	6	1N	4E	GALLATIN
5	90.00		SW	6	1N	4E	GALLATIN
6	80.00		S2NW	6	1N	4E	GALLATIN
Total:	495.00	295					

28. From parent claim 41H 150751-00, claims 41H 30153490 and 41H 30153491 should be created. The original claim number shall stay in the name of the Claimant Andy Douma. New claim number 41H 30153490 shall be Clearview Investments' portion of the original claim. New claim number 41H 30153491 shall belong to Gary Dykstra, Harmina Dykstra, and Dykstra Farms LLC.

29. The elements for claim 41H 150751-00 that changed after the split are:

OWNER: ANDY DOUMA
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			SW	5	1N	4E	GALLATIN
2			E2	5	1N	4E	GALLATIN
3			S2	6	1N	4E	GALLATIN
4			S2N2	6	1N	4E	GALLATIN

30. The elements of new claim 41H 30153490 are the exact same as parent claim 41H 150751-00, except the following elements:

OWNER: CLEARVIEW INVESTMENTS

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			SW	5	1N	4E	GALLATIN
2			E2	5	1N	4E	GALLATIN
3			S2	6	1N	4E	GALLATIN
4			S2N2	6	1N	4E	GALLATIN

31. The elements of new claim 41H 30153491 are the exact same as parent claim 41H 150751-00 except the following elements:

OWNER: GARY DYKSTRA, HARMINA DYKSTRA, AND DYKSTRA FARMS LLC

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			SW	5	1N	4E	GALLATIN
2			E2	5	1N	4E	GALLATIN
3			S2	6	1N	4E	GALLATIN
4			S2N2	6	1N	4E	GALLATIN

32. From parent claim 41H 150752-00, claims 41H 30153492 and 41H 30153493 should be created. The original claim number shall stay in the name of the Claimant Andy Douma. New claim number 41H 30153492 shall be Clearview Investments' portion of the original claim. New claim number 41H 30153493 shall belong to Gary Dykstra, Harmina Dykstra, and Dykstra Farms LLC.

33. The elements for claim 41H 150752-00 that changed after the split are:

OWNER: ANDY DOUMA

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			SW	5	1N	4E	GALLATIN
2			E2	5	1N	4E	GALLATIN
3			S2	6	1N	4E	GALLATIN
4			S2N2	6	1N	4E	GALLATIN

34. The elements of new claim 41H 30153492 are the exact same as parent claim 41H 150752-00, except the following elements:

OWNER: CLEARVIEW INVESTMENTS

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			SW	5	1N	4E	GALLATIN
2			E2	5	1N	4E	GALLATIN
3			S2	6	1N	4E	GALLATIN
4			S2N2	6	1N	4E	GALLATIN

35. The elements of new claim 41H 30153493 are the exact same as parent claim 41H 150752-00 except the following elements:

OWNER: GARY DYKSTRA, HARMINA DYKSTRA, AND DYKSTRA FARMS LLC

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			SW	5	1N	4E	GALLATIN
2			E2	5	1N	4E	GALLATIN
3			S2	6	1N	4E	GALLATIN
4			S2N2	6	1N	4E	GALLATIN

CONCLUSIONS OF LAW

1. The Montana Water Court has jurisdiction over all matters relating to the determination of existing water rights and may consider any matter within the Court's jurisdiction on its own motion, or on the motion of an interested party. Section 3-7-224, MCA.

2. Montana law allows claimants to amend their statements of claim, and objectors to amend their timely filed objections after the objection period in a basin has closed. Motions to amend a claim or objection are governed by Section 85-2-233(6), MCA:

(6) After the issuance of a temporary preliminary decree or preliminary decree, notice of any motion to amend a statement of claim or a timely filed objection that may adversely affect other water rights must be published for 3 consecutive weeks in two newspapers of general circulation in the basin where the statement of claim or objection was filed. The notice must specify that any response or objection to the proposed amendment must be filed within 45 days of the date of the last notice. The water judge may order any additional notice of the motion as the water judge considers necessary. The cost of notice required pursuant to this subsection must be borne by the moving party.

3. The splitting of the above claims does not constitute an increase to any of the claims' elements. The split only serves to reflect, more accurately, the current proportional ownership of the claimed place of use and flow rate. As a result, the notice requirements found in Section 85-2-233(6), MCA do not apply.

4. A properly filed Statement of 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 an element of the prima facie proof is incorrect. This is the standard of proof for every assertion that a claim is incorrect including claimants objecting to their own claims. Rule 19, W.R.Adj.R.

5. The parties agree that these changes resolve all objections.

RECOMMENDATIONS

Based upon the above Findings of Fact and Conclusions of Law, this Master recommends the Court make the changes specified above to correct the Preliminary Decree for this Basin.

New Post Decree Abstracts of Water Right Claims 41H 30153480 through 41H 30153492 should be created to reflect the proportional use of the above identified co-owners. All updated Post Decree Abstracts of Water Right Claims are served with this Report to confirm the recommended changes have been made in the state's centralized water right record system.

Julia J. Nordlund
Water Master

Service via USPS Mail:

Andy M. Douma
3811 W Creek Rd.
Belgrade, MT 59714

~~David L. Genter~~
~~Heidemarie McLoughlin~~

Lance Johnson
Jenna M. Johnson

3055 Sales Rd.
Belgrade, MT 59714

Clark V. Johnson
Cynthia Johnson
2909 Sales Rd.
Belgrade, MT 59714
406-579-5198
Clark.v.johnson@gmail.com

Service via Electronic Mail:

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1050 East Main St, Ste 3B
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and Harmina J. Dykstra)

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Garab@westrootslaw.com
(Counsel for Clearview Investments, LLC)

Note: Service List Updated 07-06-22

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 6701-00 STATEMENT OF CLAIM
Version: 4 -- POST DECREE
Status: ACTIVE

Owners: ANDY M DOUMA
3811 W DRY CREEK RD
BELGRADE, MT 59714

Priority Date: MARCH 18, 1924

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 0.30 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:** 80.00

Source Name: WEST GALLATIN RIVER
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		NENWNE	30	1N	4E	GALLATIN

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

WATER IS DIVERTED FROM THE WEST GALLATIN RIVER THROUGH THE LOWER CREAMERY DITCH AND IS CONVEYED TO BULLRUN CREEK WHICH ACTS AS A NATURAL CARRIER THROUGH SEC 17 T1N R4E UNTIL IT INTERSECTS AGAIN WITH THE LOWER CREAMERY DITCH AND LATERALS/DIVERSIONS IN THE SW SEC 5 AND S2S2 SEC 8 T1N R4E

Period of Use: APRIL 1 TO SEPTEMBER 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	80.00		W2SW	5	1N	4E	GALLATIN

Total: 80.00

Remarks:

THE SPLIT CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 41H 30153480, 41H 30153481.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 6702-00 STATEMENT OF CLAIM
Version: 4 -- POST DECREE
Status: ACTIVE

***Owners:** ANDY M DOUMA
3811 W DRY CREEK RD
BELGRADE, MT 59714

Priority Date: MARCH 18, 1924

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 0.32 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:** 80.00

Source Name: WEST GALLATIN RIVER

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		NENWNE	30	1N	4E	GALLATIN

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

WATER IS DIVERTED FROM THE WEST GALLATIN RIVER THROUGH THE LOWER CREAMERY DITCH AND IS CONVEYED TO BULLRUN CREEK WHICH ACTS AS A NATURAL CARRIER THROUGH SEC 17 T1N R4E UNTIL IT INTERSECTS AGAIN WITH THE LOWER CREAMERY DITCH AND LATERALS/DIVERSIONS IN THE SW SEC 5 AND S2S2 SEC 8 T1N R4E

Period of Use: APRIL 1 TO SEPTEMBER 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	80.00		W2SW	5	1N	4E	GALLATIN

Total: 80.00

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.

6702-00	150752-00	30153482	30153483	30153492	30153493
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THE SPLIT CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 41H 30153482, 41H 30153483.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 6703-00 STATEMENT OF CLAIM
Version: 4 -- POST DECREE
Status: ACTIVE

Owners: ANDY M DOUMA
3811 W DRY CREEK RD
BELGRADE, MT 59714

Priority Date: JUNE 1, 1926

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 1.32 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:** 80.00

Source Name: WEST GALLATIN RIVER
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		NENWNE	30	1N	4E	GALLATIN

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

WATER IS DIVERTED FROM THE WEST GALLATIN RIVER THROUGH THE LOWER CREAMERY DITCH AND IS CONVEYED TO BULLRUN CREEK WHICH ACTS AS A NATURAL CARRIER THROUGH SEC 17 T1N R4E UNTIL IT INTERSECTS AGAIN WITH THE LOWER CREAMERY DITCH AND LATERALS/DIVERSIONS IN THE SW SEC 5 AND S2S2 SEC 8 T1N R4E

Period of Use: APRIL 1 TO SEPTEMBER 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	80.00		W2SW	5	1N	4E	GALLATIN

Total: 80.00

Remarks:

THE SPLIT CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 41H 30153484, 41H 30153485.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 6704-00 STATEMENT OF CLAIM
Version: 4 -- POST DECREE
Status: ACTIVE

Owners: ANDY M DOUMA
3811 W DRY CREEK RD
BELGRADE, MT 59714

Priority Date: MARCH 18, 1924

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 0.30 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:** 80.00

Source Name: WEST GALLATIN RIVER
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		NENWNE	30	1N	4E	GALLATIN

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

WATER IS DIVERTED FROM THE WEST GALLATIN RIVER THROUGH THE LOWER CREAMERY DITCH AND IS CONVEYED TO BULLRUN CREEK WHICH ACTS AS A NATURAL CARRIER THROUGH SEC 17 T1N R4E UNTIL IT INTERSECTS AGAIN WITH THE LOWER CREAMERY DITCH AND LATERALS/DIVERSIONS IN THE SW SEC 5 AND S2S2 SEC 8 T1N R4E

Period of Use: APRIL 1 TO SEPTEMBER 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	80.00		W2SW	5	1N	4E	GALLATIN

Total: 80.00

Remarks:

THE SPLIT CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 41H 30153486, 41H 30153487.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 6705-00 STATEMENT OF CLAIM
Version: 4 -- POST DECREE
Status: ACTIVE

***Owners:** ANDY M DOUMA
3811 W DRY CREEK RD
BELGRADE, MT 59714

Priority Date: MARCH 18, 1924

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 0.40 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:** 80.00

Source Name: WEST GALLATIN RIVER

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		NENWNE	30	1N	4E	GALLATIN

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

WATER IS DIVERTED FROM THE WEST GALLATIN RIVER THROUGH THE LOWER CREAMERY DITCH AND IS CONVEYED TO BULLRUN CREEK WHICH ACTS AS A NATURAL CARRIER THROUGH SEC 17 T1N R4E UNTIL IT INTERSECTS AGAIN WITH THE LOWER CREAMERY DITCH AND LATERALS/DIVERSIONS IN THE SW SEC 5 AND S2S2 SEC 8 T1N R4E

Period of Use: APRIL 1 TO SEPTEMBER 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	80.00		W2SW	5	1N	4E	GALLATIN

Total: 80.00

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.

6705-00	150751-00	30153488	30153489	30153490	30153491
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THE SPLIT CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 41H 30153488, 41H 30153489.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 114917-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

CLARK V JOHNSON
2909 SALES RD
BELGRADE, MT 59714

CYNTHIA JOHNSON
2909 SALES RD
BELGRADE, MT 59714

LANCE JOHNSON
3055 SALES RD
BELGRADE, MT 59714

JENNA M JOHNSON
3055 SALES RD
BELGRADE, MT 59714

Priority Date: MARCH 18, 1924

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 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: WEST GALLATIN RIVER

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		SWSE	1	1N	3E	GALLATIN
Period of Diversion:	MAY 1 TO OCTOBER 1					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		SENESE	12	1N	3E	GALLATIN
Period of Diversion:	MAY 1 TO OCTOBER 1					
Diversion Means:	HEADGATE					
3		NESENE	12	1N	3E	GALLATIN
Period of Diversion:	MAY 1 TO OCTOBER 1					
Diversion Means:	HEADGATE					

4	NESWSE	1	1N	3E	GALLATIN
Period of Diversion:		MAY 1 TO OCTOBER 1			
Diversion Means:		MULTIPLE			
5	NWSWSE	1	1N	3E	GALLATIN
Period of Diversion:		MAY 1 TO OCTOBER 1			
Diversion Means:		MULTIPLE			
6	SWNENE	12	1N	3E	GALLATIN
Period of Diversion:		MAY 1 TO OCTOBER 1			
Diversion Means:		MULTIPLE			
7	NWSENE	12	1N	3E	GALLATIN
Period of Diversion:		MAY 1 TO OCTOBER 1			
Diversion Means:		MULTIPLE			
Period of Use:		MAY 1 TO OCTOBER 1			
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			SE	1	1N	3E	GALLATIN

STOCK DRINK FROM THE SOURCE IN THE SE SEC 1 T1N R3E WITHIN PARCELS 1, 2, AND 3 C.O.S. 1759A

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 150751-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Late Claim: B

Owners: ANDY M DOUMA
3811 W DRY CREEK RD
BELGRADE, MT 59714

Priority Date: MARCH 18, 1924

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 09/09/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

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 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: WEST GALLATIN RIVER

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		NENWNE	30	1N	4E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

WATER IS DIVERTED FROM THE WEST GALLATIN RIVER THROUGH THE LOWER CREAMERY DITCH AND IS CONVEYED TO BULLRUN CREEK WHICH ACTS AS A NATURAL CARRIER THROUGH SEC 17 T1N R4E UNTIL IT INTERSECTS AGAIN WITH THE LOWER CREAMERY DITCH AND LATERALS/DIVERSIONS IN THE SW SEC 5 AND S2S2 SEC 8 T1N R4E

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			SW	5	1N	4E	GALLATIN

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.

6705-00	150751-00	30153488	30153489	30153490	30153491
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THE SPLIT CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 41H 30153490, 41H 30153491.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 150752-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Late Claim: B

Owners: ANDY M DOUMA
3811 W DRY CREEK RD
BELGRADE, MT 59714

Priority Date: MARCH 18, 1924

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 09/09/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

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 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: WEST GALLATIN RIVER

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		NENWNE	30	1N	4E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

WATER IS DIVERTED FROM THE WEST GALLATIN RIVER THROUGH THE LOWER CREAMERY DITCH AND IS CONVEYED TO BULLRUN CREEK WHICH ACTS AS A NATURAL CARRIER THROUGH SEC 17 T1N R4E UNTIL IT INTERSECTS AGAIN WITH THE LOWER CREAMERY DITCH AND LATERALS/DIVERSIONS IN THE SW SEC 5 AND S2S2 SEC 8 T1N R4E

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			SW	5	1N	4E	GALLATIN

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.

6702-00	150752-00	30153482	30153483	30153492	30153493
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THE SPLIT CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 41H 30153492, 41H 30153493.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 30153480 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CLEARVIEW INVESTMENTS LLC
%GARY E RIESCHEL
1920 4TH AVE UNIT 1204
SEATTLE, WA 98101 5112

Priority Date: MARCH 18, 1924

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 0.45 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: 120.00

Source Name: WEST GALLATIN RIVER

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		NENWNE	30	1N	4E	GALLATIN

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

WATER IS DIVERTED FROM THE WEST GALLATIN RIVER THROUGH THE LOWER CREAMERY DITCH AND IS CONVEYED TO BULLRUN CREEK WHICH ACTS AS A NATURAL CARRIER THROUGH SEC 17 T1N R4E UNTIL IT INTERSECTS AGAIN WITH THE LOWER CREAMERY DITCH AND LATERALS/DIVERSIONS IN THE SW SEC 5 AND S2S2 SEC 8 T1N R4E

Period of Use: APRIL 1 TO SEPTEMBER 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	60.00		W2SE	5	1N	4E	GALLATIN
2	60.00		E2SW	5	1N	4E	GALLATIN

Total: 120.00

Remarks:

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41H 6701-00.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 30153481 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

GARY E DYKSTRA
64 RIVER FRONT RD
BOZEMAN, MT 59718

HARMINA J DYKSTRA
64 RIVER FRONT RD
BOZEMAN, MT 59718

DYKSTRA FARMS LLC
41 HEIGHTS CIRCLE
BOZEMAN, MT 59718

Priority Date: MARCH 18, 1924

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/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.

Maximum Acres: 295.00

Source Name: WEST GALLATIN RIVER

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		NENWNE	30	1N	4E	GALLATIN

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

WATER IS DIVERTED FROM THE WEST GALLATIN RIVER THROUGH THE LOWER CREAMERY DITCH AND IS CONVEYED TO BULLRUN CREEK WHICH ACTS AS A NATURAL CARRIER THROUGH SEC 17 T1N R4E UNTIL IT INTERSECTS AGAIN WITH THE LOWER CREAMERY DITCH AND LATERALS/DIVERSIONS IN THE SW SEC 5 AND S2S2 SEC 8 T1N R4E

Period of Use: APRIL 1 TO SEPTEMBER 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	80.00		S2NW	6	1N	4E	GALLATIN
2	125.00		SE	6	1N	4E	GALLATIN

3	90.00	SW	6	1N	4E	GALLATIN
Total:	295.00					

Remarks:

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41H 6701-00.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 30153482 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CLEARVIEW INVESTMENTS LLC
%GARY E RIESCHEL
1920 4TH AVE UNIT 1204
SEATTLE, WA 98101 5112

Priority Date: MARCH 18, 1924

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 0.48 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: 120.00

Source Name: WEST GALLATIN RIVER

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		NENWNE	30	1N	4E	GALLATIN

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

WATER IS DIVERTED FROM THE WEST GALLATIN RIVER THROUGH THE LOWER CREAMERY DITCH AND IS CONVEYED TO BULLRUN CREEK WHICH ACTS AS A NATURAL CARRIER THROUGH SEC 17 T1N R4E UNTIL IT INTERSECTS AGAIN WITH THE LOWER CREAMERY DITCH AND LATERALS/DIVERSIONS IN THE SW SEC 5 AND S2S2 SEC 8 T1N R4E

Period of Use: APRIL 1 TO SEPTEMBER 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	60.00		E2SW	5	1N	4E	GALLATIN
2	60.00		W2SE	5	1N	4E	GALLATIN

Total: 120.00

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.

6702-00

150752-00

30153482

30153483

30153492

30153493

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41H 6702-00.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 30153483 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

GARY E DYKSTRA
64 RIVER FRONT RD
BOZEMAN, MT 59718

HARMINA J DYKSTRA
64 RIVER FRONT RD
BOZEMAN, MT 59718

DYKSTRA FARMS LLC
41 HEIGHTS CIRCLE
BOZEMAN, MT 59718

Priority Date: MARCH 18, 1924

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 1.20 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: 295.00

Source Name: WEST GALLATIN RIVER

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		NENWNE	30	1N	4E	GALLATIN

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

WATER IS DIVERTED FROM THE WEST GALLATIN RIVER THROUGH THE LOWER CREAMERY DITCH AND IS CONVEYED TO BULLRUN CREEK WHICH ACTS AS A NATURAL CARRIER THROUGH SEC 17 T1N R4E UNTIL IT INTERSECTS AGAIN WITH THE LOWER CREAMERY DITCH AND LATERALS/DIVERSIONS IN THE SW SEC 5 AND S2S2 SEC 8 T1N R4E

Period of Use: APRIL 1 TO SEPTEMBER 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	80.00		S2NW	6	1N	4E	GALLATIN
2	125.00		SE	6	1N	4E	GALLATIN

3	90.00	SW	6	1N	4E	GALLATIN
Total:	295.00					

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.

6702-00	150752-00	30153482	30153483	30153492	30153493
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THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41H 6702-00.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 30153484 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CLEARVIEW INVESTMENTS LLC
%GARY E RIESCHEL
1920 4TH AVE UNIT 1204
SEATTLE, WA 98101 5112

Priority Date: JUNE 1, 1926

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 1.98 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: 120.00

Source Name: WEST GALLATIN RIVER

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		NENWNE	30	1N	4E	GALLATIN

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

WATER IS DIVERTED FROM THE WEST GALLATIN RIVER THROUGH THE LOWER CREAMERY DITCH AND IS CONVEYED TO BULLRUN CREEK WHICH ACTS AS A NATURAL CARRIER THROUGH SEC 17 T1N R4E UNTIL IT INTERSECTS AGAIN WITH THE LOWER CREAMERY DITCH AND LATERALS/DIVERSIONS IN THE SW SEC 5 AND S2S2 SEC 8 T1N R4E

Period of Use: APRIL 1 TO SEPTEMBER 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	60.00		W2SE	5	1N	4E	GALLATIN
2	60.00		E2SW	5	1N	4E	GALLATIN

Total: 120.00

Remarks:

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41H 6703-00.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 30153485 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

GARY E DYKSTRA
64 RIVER FRONT RD
BOZEMAN, MT 59718

HARMINA J DYKSTRA
64 RIVER FRONT RD
BOZEMAN, MT 59718

DYKSTRA FARMS LLC
41 HEIGHTS CIRCLE
BOZEMAN, MT 59718

Priority Date: JUNE 1, 1926

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 4.95 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: 295.00

Source Name: WEST GALLATIN RIVER

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		NENWNE	30	1N	4E	GALLATIN

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

WATER IS DIVERTED FROM THE WEST GALLATIN RIVER THROUGH THE LOWER CREAMERY DITCH AND IS CONVEYED TO BULLRUN CREEK WHICH ACTS AS A NATURAL CARRIER THROUGH SEC 17 T1N R4E UNTIL IT INTERSECTS AGAIN WITH THE LOWER CREAMERY DITCH AND LATERALS/DIVERSIONS IN THE SW SEC 5 AND S2S2 SEC 8 T1N R4E

Period of Use: APRIL 1 TO SEPTEMBER 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	80.00		S2NW	6	1N	4E	GALLATIN
2	125.00		SE	6	1N	4E	GALLATIN

3	90.00	SW	6	1N	4E	GALLATIN
Total:	295.00					

Remarks:

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41H 6703-00.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 30153486 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CLEARVIEW INVESTMENTS LLC
%GARY E RIESCHEL
1920 4TH AVE UNIT 1204
SEATTLE, WA 98101 5112

Priority Date: MARCH 18, 1924

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 0.45 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: 120.00

Source Name: WEST GALLATIN RIVER

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		NENWNE	30	1N	4E	GALLATIN

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

WATER IS DIVERTED FROM THE WEST GALLATIN RIVER THROUGH THE LOWER CREAMERY DITCH AND IS CONVEYED TO BULLRUN CREEK WHICH ACTS AS A NATURAL CARRIER THROUGH SEC 17 T1N R4E UNTIL IT INTERSECTS AGAIN WITH THE LOWER CREAMERY DITCH AND LATERALS/DIVERSIONS IN THE SW SEC 5 AND S2S2 SEC 8 T1N R4E

Period of Use: APRIL 1 TO SEPTEMBER 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	60.00		W2SE	5	1N	4E	GALLATIN
2	60.00		E2SW	5	1N	4E	GALLATIN

Total: 120.00

Remarks:

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41H 6704-00.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 30153487 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

GARY E DYKSTRA
64 RIVER FRONT RD
BOZEMAN, MT 59718

HARMINA J DYKSTRA
64 RIVER FRONT RD
BOZEMAN, MT 59718

DYKSTRA FARMS LLC
41 HEIGHTS CIRCLE
BOZEMAN, MT 59718

Priority Date: MARCH 18, 1924

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/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: 3 - MODERATE

Maximum Acres: 295.00

Source Name: WEST GALLATIN RIVER

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		NENWNE	30	1N	4E	GALLATIN

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

WATER IS DIVERTED FROM THE WEST GALLATIN RIVER THROUGH THE LOWER CREAMERY DITCH AND IS CONVEYED TO BULLRUN CREEK WHICH ACTS AS A NATURAL CARRIER THROUGH SEC 17 T1N R4E UNTIL IT INTERSECTS AGAIN WITH THE LOWER CREAMERY DITCH AND LATERALS/DIVERSIONS IN THE SW SEC 5 AND S2S2 SEC 8 T1N R4E

Period of Use: APRIL 1 TO SEPTEMBER 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	80.00		S2NW	6	1N	4E	GALLATIN
2	125.00		SE	6	1N	4E	GALLATIN

3	90.00	SW	6	1N	4E	GALLATIN
Total:	295.00					

Remarks:

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41H 6704-00.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 30153488 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CLEARVIEW INVESTMENTS LLC
%GARY E RIESCHEL
1920 4TH AVE UNIT 1204
SEATTLE, WA 98101 5112

Priority Date: MARCH 18, 1924

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 0.60 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: 120.00

Source Name: WEST GALLATIN RIVER

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		NENWNE	30	1N	4E	GALLATIN

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

WATER IS DIVERTED FROM THE WEST GALLATIN RIVER THROUGH THE LOWER CREAMERY DITCH AND IS CONVEYED TO BULLRUN CREEK WHICH ACTS AS A NATURAL CARRIER THROUGH SEC 17 T1N R4E UNTIL IT INTERSECTS AGAIN WITH THE LOWER CREAMERY DITCH AND LATERALS/DIVERSIONS IN THE SW SEC 5 AND S2S2 SEC 8 T1N R4E

Period of Use: APRIL 1 TO SEPTEMBER 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	60.00		W2SE	5	1N	4E	GALLATIN
2	60.00		E2SW	5	1N	4E	GALLATIN

Total: 120.00

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.

6705-00

150751-00

30153488

30153489

30153490

30153491

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41H 6705-00.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 30153489 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

GARY E DYKSTRA
64 RIVER FRONT RD
BOZEMAN, MT 59718

HARMINA J DYKSTRA
64 RIVER FRONT RD
BOZEMAN, MT 59718

DYKSTRA FARMS LLC
41 HEIGHTS CIRCLE
BOZEMAN, MT 59718

Priority Date: MARCH 18, 1924

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: 295.00

Source Name: WEST GALLATIN RIVER

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		NENWNE	30	1N	4E	GALLATIN

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

WATER IS DIVERTED FROM THE WEST GALLATIN RIVER THROUGH THE LOWER CREAMERY DITCH AND IS CONVEYED TO BULLRUN CREEK WHICH ACTS AS A NATURAL CARRIER THROUGH SEC 17 T1N R4E UNTIL IT INTERSECTS AGAIN WITH THE LOWER CREAMERY DITCH AND LATERALS/DIVERSIONS IN THE SW SEC 5 AND S2S2 SEC 8 T1N R4E

Period of Use: APRIL 1 TO SEPTEMBER 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	80.00		S2NW	6	1N	4E	GALLATIN
2	125.00		SE	6	1N	4E	GALLATIN

3	90.00	SW	6	1N	4E	GALLATIN
Total:	295.00					

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.

6705-00	150751-00	30153488	30153489	30153490	30153491
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THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41H 6705-00.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 30153490 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CLEARVIEW INVESTMENTS LLC
%GARY E RIESCHEL
1920 4TH AVE UNIT 1204
SEATTLE, WA 98101 5112

Priority Date: MARCH 18, 1924

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 09/09/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

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 THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING 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: WEST GALLATIN RIVER

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		NENWNE	30	1N	4E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

WATER IS DIVERTED FROM THE WEST GALLATIN RIVER THROUGH THE LOWER CREAMERY DITCH AND IS CONVEYED TO BULLRUN CREEK WHICH ACTS AS A NATURAL CARRIER THROUGH SEC 17 T1N R4E UNTIL IT INTERSECTS AGAIN WITH THE LOWER CREAMERY DITCH AND LATERALS/DIVERSIONS IN THE SW SEC 5 AND S2S2 SEC 8 T1N R4E

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			E2	5	1N	4E	GALLATIN

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.

6705-00	150751-00	30153488	30153489	30153490	30153491
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THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41H 150751-00.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 30153491 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

GARY E DYKSTRA
64 RIVER FRONT RD
BOZEMAN, MT 59718

HARMINA J DYKSTRA
64 RIVER FRONT RD
BOZEMAN, MT 59718

DYKSTRA FARMS LLC
41 HEIGHTS CIRCLE
BOZEMAN, MT 59718

Priority Date: MARCH 18, 1924

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 09/09/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

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 THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING 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: WEST GALLATIN RIVER

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		NENWNE	30	1N	4E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

WATER IS DIVERTED FROM THE WEST GALLATIN RIVER THROUGH THE LOWER CREAMERY DITCH AND IS CONVEYED TO BULLRUN CREEK WHICH ACTS AS A NATURAL CARRIER THROUGH SEC 17 T1N R4E UNTIL IT INTERSECTS AGAIN WITH THE LOWER CREAMERY DITCH AND LATERALS/DIVERSIONS IN THE SW SEC 5 AND S2S2 SEC 8 T1N R4E

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			S2N2	6	1N	4E	GALLATIN
2			S2	6	1N	4E	GALLATIN

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.

6705-00 150751-00 30153488 30153489 30153490 30153491

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41H 150751-00.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 30153492 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CLEARVIEW INVESTMENTS LLC
%GARY E RIESCHEL
1920 4TH AVE UNIT 1204
SEATTLE, WA 98101 5112

Priority Date: MARCH 18, 1924

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 09/09/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

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 THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING 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: WEST GALLATIN RIVER

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		NENWNE	30	1N	4E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

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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			E2	5	1N	4E	GALLATIN

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.

6702-00

150752-00

30153482

30153483

30153492

30153493

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41H 150752-00.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
GALLATIN RIVER
BASIN 41H**

Water Right Number: 41H 30153493 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

GARY E DYKSTRA
64 RIVER FRONT RD
BOZEMAN, MT 59718

HARMINA J DYKSTRA
64 RIVER FRONT RD
BOZEMAN, MT 59718

DYKSTRA FARMS LLC
41 HEIGHTS CIRCLE
BOZEMAN, MT 59718

Priority Date: MARCH 18, 1924

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 09/09/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

Type of Historical Right: DECREED

Purpose (use): STOCK

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Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING 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: WEST GALLATIN RIVER

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		NENWNE	30	1N	4E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Ditch Name: LOWER CREAMERY DITCH

WATER IS DIVERTED FROM THE WEST GALLATIN RIVER THROUGH THE LOWER CREAMERY DITCH AND IS CONVEYED TO BULLRUN CREEK WHICH ACTS AS A NATURAL CARRIER THROUGH SEC 17 T1N R4E UNTIL IT INTERSECTS AGAIN WITH THE LOWER CREAMERY DITCH AND LATERALS/DIVERSIONS IN THE SW SEC 5 AND S2S2 SEC 8 T1N R4E

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			S2N2	6	1N	4E	GALLATIN
2			S2	6	1N	4E	GALLATIN

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.

6702-00 150752-00 30153482 30153483 30153492 30153493

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41H 150752-00.