

IN THE WATER COURT OF THE STATE OF MONTANA
YELLOWSTONE DIVISION
LITTLE MISSOURI RIVER BASIN ABOVE LITTLE BEAVER CREEK (39F)
PRELIMINARY DECREE

* * * * *

CLAIMANT: LO Ranch Limited Partnership

CASE 39F-0492-R-2022

39F 123269-00

39F 123281-00

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

FINDINGS OF FACT

1. LO Ranch Limited Partnership (LO Ranch) is the record owner of claims 39F 123269-00 and 39F 123281-00.
2. Claims 39F 123269-00 and 39F 123281-00 were decreed with DNRC issue remarks:

Claim 39F 123269-00:

POINT OF DIVERSION NO. 2 APPEARS TO BE CLAIMING THE SAME DAM.

Claim 39F 123281-00:

THE PLACE OF USE APPEARS TO NEED MODIFICATION BASED ON THE DNRC CORRECTION TO THE POINT OF DIVERSION. THE CORRECT PLACE OF USE LEGAL LAND DESCRIPTION APPEARS TO BE THE SESESW SEC 4 TWP 7S RGE 59E CARTER COUNTY.

POINT OF DIVERSION AND RESERVOIR RECORD WERE MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

3. LO Ranch was ordered to meet with the DNRC to address the point of diversion issue remark decreed on claim 39F 123269-00 and the place of use issue remark decreed on claim 39F 123281-00.
4. On July 12, 2022, DNRC Water Resource Specialist Brandy Gray filed a Memorandum stating nobody contacted her on behalf of the Claimant, and Ms. Gray made recommendations for the disposition of the issue remarks. A copy of the July 12, 2022 Memorandum is attached.

Regarding claim 39F 123269-00, Ms. Gray explained:

During examination, it appears that DNRC added a second point of diversion legal land description instead of an information remark, describing the location of the rest of the dam. The point of diversion is where the dirt diversion structure crosses the source of water (NESESE of Sec. 19, T7S, R60E). The rest of the dirt diversion structure crosses over into the SENESE of Sec. 19, T7S, R60E and there for needs an information remark stating that information.

Ms. Gray recommended claim 39F 123269-00 be modified as follows:

***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		SENESE	19	7S	60E	CARTER
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: DAM						
2		NESESE	19	7S	60E	CARTER
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: DAM						

R35: THE DAM EXTENDS INTO THE SENESE SEC 19 TWP 07S RGE 60E CARTER COUNTY.

Ms. Gray recommended that the place of use for claim 39F 123281-00 be changed to reflect the legal land description where stock drink from the reservoir, as follows:

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		SESESW	NWSESW	4	7S	59E	CARTER

5. A deadline was set, providing Claimant LO Ranch another opportunity to review the issue remarks.

6. On August 15, 2022, LO Ranch filed Claimant's Notice Regarding DNRC Memorandum Dated July 12, 2022 (August 15 Filing). The August 15 Filing discussed two points of diversion for claim 39F 123269-00:

Claimant has attached documentation, including photographs, and the Carter County Ownership Map establishing each point of conversion and contesting the DNRC's Issue Remark concerning the Points of Diversion for Water Right Claim No. 39F 123269 00. The legal description for Point of Diversion 1 needs to be amended to: SESESE of Section 19, Township 7 South, Range 60 East. The legal description for Point of Diversion 2 needs to be amended to: NENENE of Section 19, Township 7 South, Range 60 East.

August 15 Filing, p. 1-2.

In the August 15, 2022 Filing, the Claimant agrees with the proposed change for claim 39F 123281-00.

7. This Master had questions regarding the August 15 Filing, and an Order was issued for LO Ranch to file documentation addressing the following:

- File a proposed abstract for claim 39F 123269-00. The proposed abstracts should show means of diversion for each point of diversion.
- Any points of diversion listed on the proposed abstract should be shown clearly on an attached map.

- The Claimant should show where the Statement of Claim contemplates multiple reservoirs with a 1917 priority date.

LO Ranch was encouraged to set an appointment to meet with Ms. Gray.

7. On September 23, 2022, LO Ranch filed a Response. Unfortunately, the Response was unclear. The Response referred to claim 39F 123281-00 in addition to 39F 123269-00 and it is uncertain what LO Ranch's intent for claim 39F 123269-00 is. Notably, LO Ranch did not file the documents required by this Water Master. LO Ranch also stated:

3. On September 20, 2022, counsel for the Claimant met with the DNRC to discuss the issue remark.

4. Following the meeting, counsel for the Claimant discussed the information shared by the DNRC during the September 20, 2022.

5. Claimant agrees with the changes recommended by Ms. Gray relating to Water Right Claim No. 39F 123281-00 as identified and set forth in the Order.

This Water Master deduced that LO Ranch intended to convey that it agrees with all Ms. Gray's recommendations as set forth in the July 12, 2022 Memorandum; however, because LO Ranch's Response was unclear, this Master set another deadline for LO Ranch to clarify its position regarding claim 39F 123269-00. The Order Setting Filing Deadline for Claim 39F 123269-00 ordered LO Ranch to file documentation by October 24, 2022, addressing the following:

- File a proposed abstract for claim 39F 123269-00. The proposed abstracts should show means of diversion for each point of diversion.
- Any points of diversion listed on the proposed abstract should be shown clearly on an attached map.
- The Claimant should show where the Statement of Claim contemplates multiple reservoirs with a 1917 priority date.

The Order indicated that if nothing were filed by the deadline, this Master would conclude Claimant LO Ranch agrees with the changes recommended by Ms. Gray in her July 12, 2022 Memorandum and a Master's Report would be issued. The Order also

indicated LO Ranch could request a hearing. The following language was included in the Order:

Failure to comply with the terms of this Order may result in sanctions, up to and including entry of default and termination of a water right claim or dismissal of objections. Rule 22, W.R.Adj.R.

8. Nothing was filed by the October 24, 2022 deadline.

PRINCIPLES AND CONCLUSIONS OF LAW

1. A properly filed Statement of Claim for an existing water right is prima facie proof of its content. Section 85-2-227, MCA. This prima facie validity may be overcome by evidence showing that one or more elements of the claim are incorrect. This standard of proof applies to objectors or claimants objecting to their own water right claims. Rule 19, W.R.Adj.R., *Nelson v. Brooks*, 2014 MT 120; 375 Mont.86, 95; 329 P.3d 558, 564.

2. The Water Court must address all issue remarks decreed on a claim. Section 85-2-248, MCA.

3. Pursuant to Rule 22, W.R.Adj.R., if a claimant, objector, or intervenor fails to appear at a scheduled conference or hearing or fails to comply with an order issued by the Water Court, the Water Court may issue such orders of sanction with regard thereto as are just.

4. The point of diversion and reservoir record issue remark decreed on claim 39F 123281-00 is a notice-type issue remark. As no objections were filed, no further proceedings are required.

RECOMMENDATIONS

1. Claims 39E 123269-00 and 39E 123270-00 should be modified as shown in Finding of Fact No. 4.

2. The issue remarks should be removed from claims 39E 123269-00 and 39E 123270-00.

Post Decree Abstracts of Water Right Claims are served with the Report for review.

Anika M. Stern
Senior Water Master

Service via USPS Mail:

Michael F. McGuinness
PATTEN, PETERMAN,
BEKKEDAHL & GREEN, P.L.L.C.
P.O. Box 1239
Billings, MT 59103
Facsimile: (406) 294-9500
E-mail: mmcguinness@mppbglaw.com

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION

ELECTRONICALLY FILED

Billings Water Resources Office

39F-0492-R-2022

July 12, 2022



GREG GIANFORTE, GOVERNOR

Montana Water Court

PHONE: (406)247-4415

FAX: (406)247-4416

Airport Business Park

1371 Rimtop Dr, Billings, MT 59105-1978

MEMORANDUM

DATE: July 11, 2022

CASE HEADING: **39F-0492-R-2022**
CLAIMS: 39F 123269-00, 39F 123281-00

TO: Anika M. Stern
Senior Water Master

FROM: Brandy Gray
Billings Water Resource Specialist

CLAIMANT: LO Ranch Limited Partnership

INTRODUCTION:

The June 2, 2022, Order from the Montana Water Court required LO Ranch Limited Partnership, to contact DNRC no later than June 20, 2022, and submit any documents needed to support resolution no later than July 8, 2022. It was further ordered that the DNRC provide a Memorandum, by July 22, 2022, of recommendations on the results or file a notice with the Water Court informing the Water Court that the issue remarks were not resolved by the deadline. Furthermore, if the Claimant doesn't contact the DNRC, it was requested that the DNRC make recommendations for the disposition of the issue remarks.

MATERIALS REVIEWED:

Information in the claim file and the 2019 NAIP MT State Library (NAIP) aerial photo, served as the primary data sources for this Memorandum.

DISCUSSION:

As of July 11, 2022, DNRC has not received contact from the Claimant.

CLAIM 39F 123269-00; 1917, STOCK, in Section 19, T7S, R60E, on an unnamed tributary of South Butte Creek.

Issue Remark:

PDIS – POINT OF DIVERSION NO. 2 APPEARS TO BE CLAIMING THE SAME DAM.

DNRC reviewed the claim map in the file and compared it to the 2019 NAIP aerial photo. During examination, it appears that DNRC added a second point of diversion legal land description instead of an information remark, describing the location of the rest of the dam. The point of diversion is where the dirt diversion structure crosses the source of water (NESESE of Sec. 19, T7S, R60E). The rest of the dirt diversion structure crosses over into the SENESE of Sec. 19, T7S, R60E and there for needs an information remark stating that information.

RECOMMENDATION:

Based on the above information, it is recommended that point of diversion no.1 be removed, that the reservoir record be amended to the NESESE of Sec. 19, T7S, R60E, that the reservoir information remark (R35) be added, that the point of diversion issue remark (PDIS) be removed, as it appears resolved, and that the attached 2019 NAIP aerial be scanned to the claim file.

R35 - THE DAM EXTENDS INTO THE SENESE SEC 19 TWP 07S RGE 60E CARTER COUNTY.

CLAIM 39F 123281-00; 1945, STOCK, in Section 4, T7S, R59E, on an unnamed tributary of South Butte Creek.

Issue Remark:

PLIS – THE PLACE OF USE APPEARS TO NEED MODIFICATION BASED ON THE DNRC CORRECTION TO THE POINT OF DIVERSION. THE CORRECT PLACE OF USE LEGAL LAND DESCRIPTION APPEARS TO BE THE SESESW SEC 4 TWP 7S RGE 59E CARTER COUNTY.

DNRC reviewed the claim map in the file and compared it to the 2019 NAIP aerial photo. The place of use should be amended to the legal land description where the stock drink water from the reservoir (SESESW of Sec. 4, T7S, R59E).

RECOMMENDATION:

Based on the above information, it is recommended that the place of use be amended to the SESESW of Sec. 4, T7S, R59E, that the place of use issue remark (PLIS) be removed, as it appears resolved, and that the attached 2019 NAIP aerial be scanned to the claim file.

DATE: July 11, 2022, by: /s/ Brandy Gray
Brandy Gray, Water Resource Specialist
Billings Water Resources Regional Office
(406) 247-4426

DATE: July 11, 2022, by: /s/ Mark Ellison
Mark Ellison, Regional Manager
Billings Water Resources Regional Office

Service via email:
Anika M. Stern
Montana Water Court
PO Box 1389
Bozeman, MT 59771-1389
watercourt@mt.gov

Service via USPS Mail:
LO Ranch Limited Partnership
266 Government Canyon Rd.
Hulett, WY 82720-9621

Enclosures:

- Blue marked General Abstracts
- 39F 123269-00 2019 NAIP aerial photo.
- 39F 123281-00 2019 NAIP aerial photo.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 39F 123269-00 STATEMENT OF CLAIM

Version: 2 -- REEXAMINED

Version Status: ACTIVE

Owners: LO RANCH LIMITED PARTNERSHIP
266 GOVERNMENT CANYON RD
HULETT, WY 82720-9621

Priority Date: DECEMBER 31, 1917

Enforceable Priority Date: DECEMBER 31, 1917

Type of Historical Right: USE

Purpose (Use): STOCK

Maximum 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.

Maximum 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 SOUTH BUTTE 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>
4		SENESE	49	7S	60E	CARTER

Period of Diversion: ~~JANUARY 1 TO DECEMBER 31~~

Diversion Means: DAM

1	2		NESESE	19	7S	60E	CARTER
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

THE PERIOD OF DIVERSION HAS BEEN STANDARDIZED BY DNRC FOR THIS CLAIM.

Reservoir: ON STREAM **R35 - THE DAM EXTENDS INTO THE SENESE SEC 19 TWP 07S RGE 60E CARTER COUNTY.**

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
NESESE	SENESE	19	7S	60E	CARTER

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			SENESE	19	7S	60E	CARTER
2			NESESE	19	7S	60E	CARTER

3 SWNESE 19 7S 60E CARTER
Geocodes/Valid: 42-0402-19-1-01-01-0000 - Y

Remarks:

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 177986 RECEIVED 10/02/2018.

PDIS - POINT OF DIVERSION NO. 2 APPEARS TO BE CLAIMING THE SAME DAM.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 39F 123281-00 STATEMENT OF CLAIM

Version: 2 -- REEXAMINED

Version Status: ACTIVE

Owners: LO RANCH LIMITED PARTNERSHIP
266 GOVERNMENT CANYON RD
HULETT, WY 82720-9621

Priority Date: DECEMBER 31, 1945

Enforceable Priority Date: DECEMBER 31, 1945

Type of Historical Right: USE

Purpose (Use): STOCK

Maximum 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.

Maximum 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 SOUTH BUTTE 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		SESESW	4	7S	59E	CARTER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

THE PERIOD OF DIVERSION HAS BEEN STANDARDIZED BY DNRC FOR THIS CLAIM.

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SESESW	4	7S	59E	CARTER

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		SESESW	NWSESW	4	7S	59E	CARTER

Geocodes/Valid: 42-0401-04-1-02-01-0000 - Y

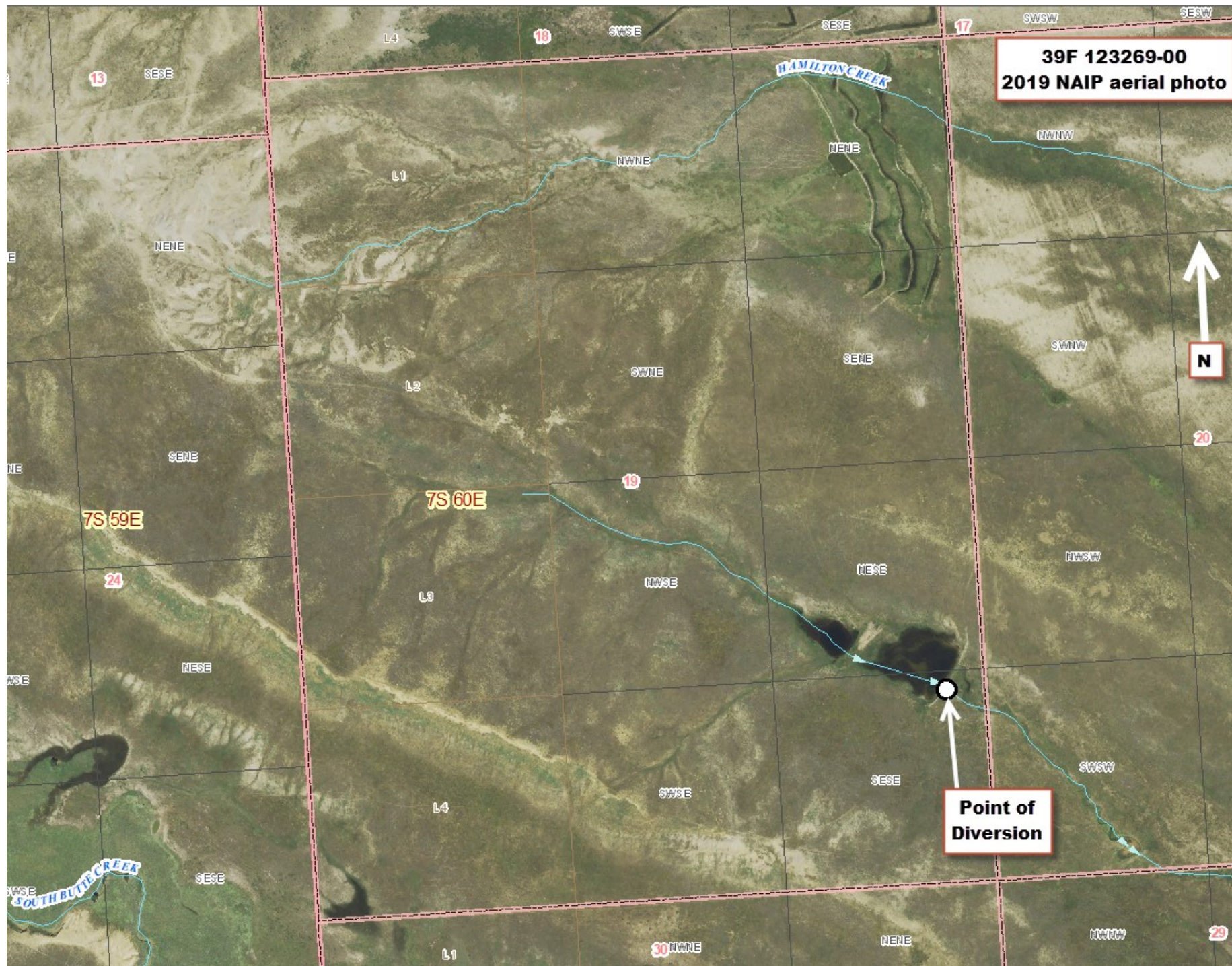
Remarks:

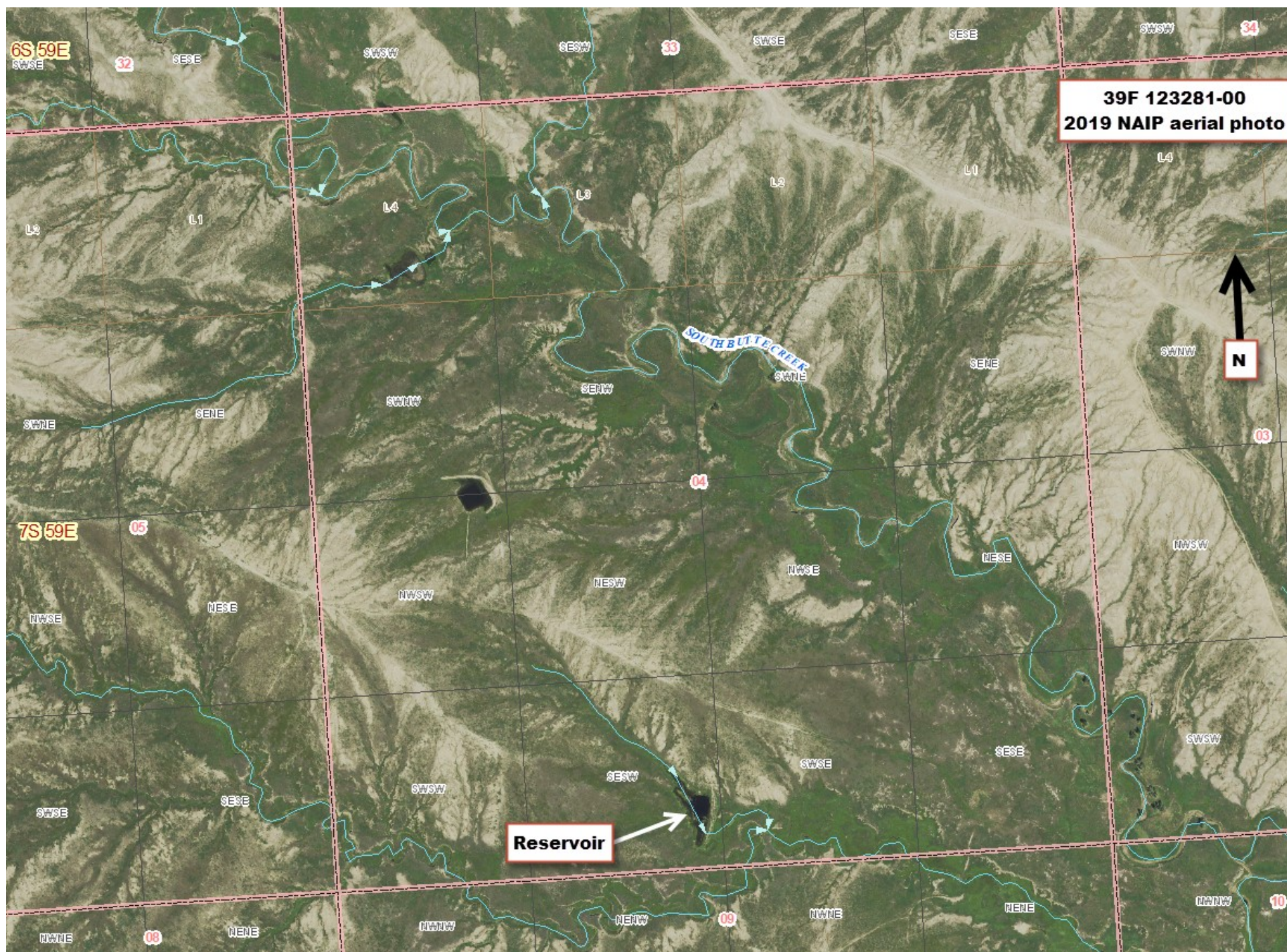
OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 177986 RECEIVED 10/02/2018.

PLIS - THE PLACE OF USE APPEARS TO NEED MODIFICATION BASED ON THE DNRC CORRECTION TO THE POINT OF DIVERSION. THE CORRECT PLACE OF USE LEGAL LAND DESCRIPTION APPEARS TO BE THE SESESW SEC 4 TWP 7S RGE 59E CARTER COUNTY.

POINT OF DIVERSION AND RESERVOIR RECORD WERE MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.





POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
LITTLE MISSOURI RIVER, ABOVE LITTLE BEAVER CREEK
BASIN 39F

Water Right Number: 39F 123269-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: LO RANCH LIMITED PARTNERSHIP
266 GOVERNMENT CANYON RD
HULETT, WY 82720 9621

Priority Date: DECEMBER 31, 1917

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: 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 SOUTH BUTTE 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		NESESE	19	7S	60E	CARTER

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>
	SENESE	19	7S	60E	CARTER

Diversion to Reservoir: DIVERSION # 1

THE DAM EXTENDS INTO THE SENESE SEC 19 TWP 07 RGE 60E CARTER COUNTY.

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			SENESE	19	7S	60E	CARTER
2			NESESE	19	7S	60E	CARTER
3			SWNESE	19	7S	60E	CARTER

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
LITTLE MISSOURI RIVER, ABOVE LITTLE BEAVER CREEK
BASIN 39F

Water Right Number: 39F 123281-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: LO RANCH LIMITED PARTNERSHIP
266 GOVERNMENT CANYON RD
HULETT, WY 82720 9621

Priority Date: DECEMBER 31, 1945

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: 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 SOUTH BUTTE 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		SESESW	4	7S	59E	CARTER

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>
	SESESW	4	7S	59E	CARTER

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			SESESW	4	7S	59E	CARTER