

Montana Water Court
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40N-0041-R-2021

November 7, 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

CLAIMANT: Carroll MT Properties LLC

OBJECTOR: Carroll MT Properties LLC

CASE 40N-0041-R-2021

40N 168283-00	40N 168318-00
40N 168286-00	40N 168333-00
40N 168291-00	40N 168334-00
40N 168292-00	40N 168336-00
40N 168294-00	40N 168340-00
40N 168295-00	40N 168342-00
40N 168296-00	40N 168345-00
40N 168297-00	40N 168349-00
40N 168298-00	40N 168350-00
40N 168301-00	40N 168351-00
40N 168303-00	40N 168353-00
40N 168304-00	40N 168354-00
40N 168307-00	40N 168361-00
40N 168308-00	40N 168364-00
40N 168309-00	40N 168366-00
40N 168310-00	40N 188675-00
40N 168312-00	40N 210853-00
40N 168313-00	

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

Statement of the case

Claimant, Carroll MT Properties LLC ("Carroll"), objected to its own claims. About half of the above captioned claims also received issue remarks providing notice that a claim's elements were modified by the DNRC during claims examination. Issue remarks often 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.

The notice issue remarks instructed claimant and other water users that if no objections were filed to any of the elements identified by the issue remarks the elements would remain as they appear on the Preliminary Decree abstracts.

Montana law requires the Water Court to resolve issue remarks and objections.

On May 2, 2022, Carroll filed its Information to Resolve Objections and Issue Remarks. This information was followed by a September 7, 2022 Supplemental Filing to Resolve Objections and Issue Remarks.

On May 2, 2022, Carroll withdrew its objections to the period of use for claims 40N 168301-00, 40N 168303-00, 40N 168304-00, 40N 168308-00, 40N 168309-00, 40N 168312-00, 40N 168313-00, 40N 168333-00, 40N 168334-00, 40N 168336-00, 40N 168340-00, 40N 168342-00, 40N 168345-00, 40N 168349-00, 40N 168350-00, 40N 168351-00, 40N 168353-00, 40N 168354-00, and 40N 168366-00, and presumably the period of diversion for the foregoing claims where it objected to the period of diversion

element in addition to the period of use element, and its objection to the point of diversion for claim 40N 210853-00. On September 7, 2022, Carroll withdrew its objections to the place of use and reservoir record for claim 40N 168318-00 and the period of use and period of diversion for claim 40N 210853-00.

All elements modified by this report appeared on the most recent Basin 40N Preliminary Decree objection list.

Issues

1. Is Carroll's objection to each claim resolved?
2. Are the notice issue remarks resolved?

Findings of fact

1. A preponderance of evidence establishes the historically accurate source for stock claim 40N 168283-00 is an Unnamed Tributary of Lone Tree Coulee, the historically accurate period of use is year-round, and the historically accurate reservoir location is the S2NENE of Section 31, Township 36 North, Range 39 East, Valley County.

2. A preponderance of evidence establishes the historically accurate period of use is year-round for stock claim 40N 168286-00, the historically accurate place of use should include the NESESE and SENESE of Section 32, and the SWNWSW of Section 33, Township 36 North, Range 39 East, Valley County, and the reservoir record should include an information remark noting the reservoir extends into the foregoing legal land descriptions.

3. A preponderance of evidence establishes the historically accurate period of use is year-round for stock claim 40N 168291-00, the historically accurate place of use should include the NESWNE and E2NWNE of Section 12, Township 34 North, Range 36 East, Valley County, and the reservoir record should include an information remark noting the reservoir extends into the E2NWNE of Section 12, Township 34 North, Range 36 East, Valley County.

4. A preponderance of evidence establishes the historically accurate period of use is year-round for stock claim 40N 168292-00, the reservoir location should be the NWSE of Section 22, Township 34 North, Range 36 East, Valley County, and the reservoir record should include an information remark noting the reservoir extends into the S2SWNE of Section 22, Township 34 North, Range 36 East, Valley County.

5. A preponderance of evidence establishes the historically accurate period of use is year-round for stock claim 40N 168294-00, the historically accurate place of use and reservoir location should be the N2SWSW of Section 25, Township 34 North, Range 36 East, Valley County.

6. A preponderance of evidence establishes the historically accurate source for stock claim 40N 168295-00 is the East Fork of Collins Creek, the historically accurate period of use is year-round, and the historically accurate reservoir location is the SE of Section 26, Township 34 North, Range 36 East, Valley County.

7. A preponderance of evidence establishes the historically accurate period of use is year-round for stock claim 40N 168296-00, the historically accurate place of use should include the W2SWNE and E2SENE of Section 34, Township 34 North, Range 36 East, Valley County, and the reservoir location should be the W2SWNE of Section 34, Township 34 North, Range 36 East, and the reservoir record should include an information remark noting the reservoir extends into the E2SENE of Section 34, Township 34 North, Range 36 East, Valley County.

8. A preponderance of evidence establishes the historically accurate period of use is year-round for stock claim 40N 168297-00, the historically accurate place of use is the SENE and E2SE (NESE and SESE) of Section 14, Township 34 North, Range 36 East, Valley County, the reservoir location should be the E2SE of Section 14, Township 34 North, Range 36 East, Valley County, and the reservoir record should include an information remark noting the reservoir extends into the SENE¹ of Section 14, Township

¹ The legal land description for the reservoir record and the information remark included on p. 12-13 of Carroll's information to resolve issue remarks appears to be the correct legal land description based upon the maps attached to Carroll's supplemental information to resolve issue remarks and the recitation included in the supplemental information. See Ex. 39-7 and 39-8.

34 North, Range 36 East, Valley County.

9. A preponderance of evidence establishes the historically accurate period of use is year-round for stock claim 40N 168298-00, and the historically accurate place of use should be the N2N2NE of Section 14, Township 34 North, Range 36 East, Valley County.

10. A preponderance of evidence establishes the historically accurate place of use and reservoir location² for stock claim 40N 168301-00 should be the W2SWNW of Section 10, Township 34 North, Range 37 East, Valley County.

11. For stock claim 40N 168303-00, the reservoir record should include an information remark noting the reservoir extends into the W2NWNE of Section 14, Township 34 North, Range 37 East, Valley County.

12. A preponderance of evidence establishes the historically accurate place of use and reservoir location³ for stock claim 40N 168304-00 should be the E2SENE of Section 15, Township 34 North, Range 37 East, Valley County.

13. A preponderance of evidence establishes the historically accurate source for stock claim 40N 168307-00 is Badland Coulee and the historically accurate period of use is year-round.

14. A preponderance of evidence establishes the historically accurate reservoir location for stock claim 40N 168308-00 is the E2NENE of Section 24, Township 34 North, Range 37 East, Valley County.

² Carroll's objection stated the reservoir record and place of use legal land description should be the W2SWNW of Section 10, Township 34 North, Range 37 East, Valley County. The language included on p. 14 of Carroll's information to resolve issue remarks requests the addition of an information remark stating the reservoir extends into the W2SWNW. The proposed abstract attached to Carroll's information to resolve the issue remarks follows the language in its objection and modifies the reservoir location to the W2SWNW. Based upon this information, the finding of fact recommends modifying the reservoir location to the W2SWNW of Section 10, Township 34 North, Range 37 East, Valley County.

³ Carroll's objection stated the reservoir record and place of use legal land description should be the E2SENE of Section 15, Township 34 North, Range 37 East, Valley County. The language included on p. 15-16 of Carroll's information to resolve issue remarks requests the addition of an information remark that the reservoir extends into the NESENE. The proposed abstract attached to Carroll's information to resolve the issue remarks follows the language in its objection and modifies the reservoir location to the E2SENE. Based upon this information the finding of fact recommends modifying the reservoir location to the E2SENE of Section 15, Township 34 North, Range 37 East, Valley County.

15. A preponderance of evidence establishes the historically accurate place of use and reservoir location for stock claim 40N 168309-00 should be the S2NE of Section 26, Township 34 North, Range 37 East, Valley County.

16. A preponderance of evidence establishes the historically accurate period of use is year-round for stock claim 40N 168310-00, and the historically accurate place of use and reservoir location should be the E2E2SE of Section 29, Township 34 North, Range 37 East, Valley County.

17. A preponderance of evidence establishes the historically accurate place of use for stock claim 40N 168312-00 should include the NESWSW, SWNESW, and the E2NWSW of Section 11, Township 34 North, Range 37 East, Valley County and the reservoir record should include an information remark noting the reservoir extends into the SWNESW and E2NWSW of Section 11, Township 34 North, Range 37 East, Valley County.

18. A preponderance of evidence establishes the historically accurate place of use and reservoir location for stock claim 40N 168313-00 is the NWNW of Section 11, Township 34 North, Range 37 East, Valley County.

19. A preponderance of evidence establishes the historically accurate period of use is year-round for stock claim 40N 168318-00.

20. A preponderance of evidence establishes the historically accurate reservoir location for stock claim 40N 168333-00 is the W2SWNE of Section 31, Township 35 North, Range 37 East, Valley County, and the reservoir record should include an information remark noting the reservoir extends into the NESENE of Section 31, Township 35 North, Range 37 East, Valley County.

21. A preponderance of evidence establishes the historically accurate point of diversion and reservoir location for stock claim 40N 168334-00 is the NWNWNE of Section 32, Township 35 North, Range 37 East, Valley County.

22. For stock claim 40N 168336-00, the reservoir record should include an information remark noting the reservoir extends into the SWNE and SEWNE of Section 35, Township 35 North, Range 37 East, Valley County.

23. A preponderance of evidence establishes the historically accurate place of use for stock claim 40N 168340-00 should include the S2NENE, W2SENE, and E2SWNE of Section 33, Township 35 North, Range 37 East, Valley County, the reservoir location should be the W2SENE of Section 33, Township 35 North, Range 37 East, Valley County, and the reservoir record should include an information remark noting the reservoir extends into the S2NENE and E2SWNE of Section 33, Township 35 North, Range 37 East, Valley County.

24. A preponderance of evidence establishes the historically accurate place of use and reservoir location for stock claim 40N 168342-00 is the SE of Section 3, Township 35 North, Range 38 East, Valley County.

25. For stock claim 40N 168345-00 the reservoir record should include an information remark noting the reservoir extends into the SENESE of Section 11, Township 35 North, Range 38 East, Valley County.

26. For stock claim 40N 168349-00 the reservoir record should include an information remark noting the reservoir extends into the NENENE of Section 22, Township 35 North, Range 38 East, Valley County.

27. For stock claim 40N 168350-00 the reservoir record should include an information remark noting the reservoir extends into the W2SESW of Section 4, Township 35 North, Range 38 East, Valley County.

28. A preponderance of evidence establishes the historically accurate reservoir location for stock claim 40N 168351-00 is the E2SWNE of Section 4, Township 35 North, Range 38 East, Valley County.

29. A preponderance of evidence establishes the historically accurate reservoir location for stock claim 40N 168353-00 is the N2SWNW of Section 21, Township 35 North, Range 38 East, and the reservoir record should include an information remark noting the reservoir extends into the S2NWNW of Section 21, Township 35 North, Range 38 East, Valley County.

30. A preponderance of evidence establishes the historically accurate place of use for stock claim 40N 168354-00 should include the W2NWNE and E2NENW of Section

30, Township 35 North, Range 38 East, Valley County, the reservoir location should be the E2NENW of Section 30, Township 35 North, Range 38 East, and the reservoir record should include an information remark noting the reservoir extends into the W2NWNE of Section 30, Township 35 North, Range 38 East, Valley County.

31. A preponderance of evidence establishes the historically accurate period of use is year-round for stock claim 40N 168361-00, the historically accurate place of use is the SWSE and SESESW of Section 10, Township 35 North, Range 39 East, Valley County, and the N2NWNE of Section 15, Township 35 North, Range 39 East, and the reservoir record should include an information remark noting the reservoir extends into the SWSE of Section 10 and N2NWNE of Section 15, Township 35 North, Range 39 East, Valley County.

32. A preponderance of evidence establishes the historically accurate period of use is year-round for stock claim 40N 168364-00, the historically accurate place of use is Government Lot 12, SW of Section 7, and Government Lot 1, NW of Section 18, Township 35 North, Range 39 East, Valley County, the reservoir record should include Government Lot 1 in the currently identified reservoir location legal land description, and an information remark noting the reservoir extends into Government Lot 12, SW of Section 7, Township 35 North, Range 39 East, Valley County.

33. A preponderance of evidence establishes the historically accurate place of use for stock claim 40N 168366-00 is the SWNWSE and the SENESW of Section 34, Township 36 North, Range 38 East, Valley County, and the reservoir record should include an information remark noting the reservoir extends into the SWNWSE⁴ of Section 34, Township 36 North, Range 38 East, Valley County.

34. A preponderance of evidence establishes the historically accurate reservoir location for stock claim 40N 188675-00 is the NWNW of Section 35, Township 36 North, Range 37 East, Valley County.

⁴ The reservoir record information remark includes the legal land description identified by the place of use and the proposed abstract, and the aerial photo attached to Carroll's supplemental information to resolve issue remarks, not the recitation included on p. 37 of Carroll's information to resolve issue remarks. See Ex. 39-30.

35. Preliminary Decree abstract 40N 210853-00 identifies its historically accurate elements.

Principles of law

1. A properly filed Statement of Claim for Existing Water Right is prima facie proof of its content. Section 85-2-227, MCA. Prima facie proof may be 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. If the settlement agreement expands or enlarges an element of a claim, evidence meeting the burden of proof must be provided. If the 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 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.

Analysis

Issues 1 and 2 – objection and issue remark resolution

Carroll proposed modifications to point of diversion, reservoir location, and place of use legal land descriptions for the claims in this case except 40N 168307-00, 40N 168295-00, and 40N 210853-00. Carroll supported these modifications with 1959, 1972, or 1974 aerial photos. Although some of the aerial photos postdate 1973, due to the DNRC claims examination practice of using a post-1973 set of aerial photos, usually dating 1975 to 1980,⁵ Carroll’s 1974 aerial photos provide reasonable evidence supporting its proposed modifications.

Carroll proposed modifications to source for claims 40N 168283-00, 40N 168295-00, and 40N 168307-00. Judicial notice is taken of the source index for the most recent Basin 40N Preliminary Decree. The proposed modifications standardize and correct the source name for the claims. The source index, claims examination materials in the claim files, and/or aerial photography provided by Carroll support the proposed modifications.

Stock statements of claim 40N 168283-00, 40N 168286-00, 40N 168291-00, 40N 168292-00, 40N 168294-00, 40N 168295-00, 40N 168296-00, 40N 168297-00, 40N 168298-00, 40N 168310-00, 40N 168318-00, 40N 168361-00, and 40N 168364-00 were filed by Hinsdale Land Company, formerly Hinsdale Livestock Company, and signed by Gene Etchart.

The Affidavit of Joseph O. Etchart supports the historical accuracy of the proposed increase in period of use for stock claims 40N 168283-00, 40N 168286-00, 40N 168291-00, 40N 168292-00, 40N 168294-00, 40N 168295-00, 40N 168296-00, 40N

⁵ See Ch. IX E. reference to irrigation Ch. VII.D.2.a, May 2013 DNRC Water Rights Claim Examination Manual.

168297-00, 40N 168298-00, 40N 168310-00, 40N 168318-00, 40N 168361-00, and 40N 168364-00. Mr. Etchart attests that he:

- was born in 1948 and raised in Glasgow, MT,
- was one of the owners and operators of Hinsdale Land Company and Hinsdale Livestock Company, the predecessors-in-interest to Carroll MT Properties LLC,
- and his brother bought Hinsdale Land Company and Hinsdale Livestock Company from their father Gene Etchart,
- was involved in operation of the ranch between 1962 and 2002,
- became President of Hinsdale Land Company and Hinsdale Livestock Company in 1982,
- aided with the transition to new management since the sale of the property in 2002 to Carroll MT Properties LLC,
- ran stock year-round on the places of use identified by claims 40N 168283-00, 40N 168286-00, 40N 168291-00, 40N 168292-00, 40N 168294-00, 40N 168295-00, 40N 168296-00, 40N 168297-00, 40N 168298-00, 40N 168310-00, 40N 168318-00, 40N 168361-00, and 40N 168364-00 and stock used the water year-round “whenever conditions allowed and water was available.”

The issue remarks providing notice that a claim’s elements were modified by the DNRC during claims examination gave claimant and other water users the opportunity to review the claims and file an objection. The deadline to file objections expired. Carroll’s objections to each of the claims are resolved by these proceedings. No other water users objected to the claims.

Copies of Carroll’s information and evidence resolving its objections and the issue remarks are included with this report. Both the report and Carroll’s information and evidence will be placed in the claim files for future reference.

Conclusions of law

Carroll's proposed modifications are historically accurate and overcome by a preponderance of evidence the prima facie proof afforded the statements of claim and justify the modifications to the claims.

The issue remarks appearing on some claims providing notice that a claim's elements were modified by the DNRC during claims examination served their notice purpose.

Carroll either withdrew its objections to the claims, or the modifications to each claim included in the findings of fact resolve Carroll's objection to the claim.

Recommendations

To accurately reflect historical use, the claims should be modified as discussed in the findings of fact.

Claim 40N 210853-00 accurately reflects historical use. No changes to the elements of the claim should be made.

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.

 Digitally signed by Anna Stradley
Date: 2022.11.07 10:47:47 -07'00'

Anna M. Stradley
Senior Water Master

Service via Electronic Mail

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Note: Service List Updated 11/7/2022

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168283-00 STATEMENT OF CLAIM

Version: 4 – POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: JANUARY 1, 1973

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 LONE TREE COULEE

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		SWNE	31	36N	39E	VALLEY

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>
	S2NE	31	36N	39E	VALLEY

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			S2NE	31	36N	39E	VALLEY

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: LOTS 1, 2, 3, 4, 5, 6, 7, 12 OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 39 EAST, VALLEY COUNTY, MONTANA.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168286-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: APRIL 8, 1963

Type of Historical Right: FILED

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 WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESESE	32	36N	39E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

THE RESERVOIR EXTENDS INTO THE SENESE, SECTION 32 AND SWNWSW, SECTION 33, TOWNSHIP 36 NORTH, RANGE 39 EAST, VALLEY COUNTY.

Reservoir: ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESESE	32	36N	39E	VALLEY

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			NESESE	32	36N	39E	VALLEY
2			SENESE	32	36N	39E	VALLEY
3			SWNWSW	33	36N	39E	VALLEY

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: LOTS 1, 2, 3, 4, S2N2, S2 OF SECTION 5, TOWNSHIP 35 NORTH, RANGE 39 EAST, VALLEY COUNTY, MONTANA.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168291-00 STATEMENT OF CLAIM
Version: 4 – POST DECREE
Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: APRIL 1, 1960
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: BIG COULEE
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		NESWNE	12	34N	36E	VALLEY

***Period of Diversion:** JANUARY 1 TO DECEMBER 31
Diversion Means: DAM
THE RESERVOIR EXTENDS INTO THE E2NWNE, SECTION 12, TOWNSHIP 34 NORTH, RANGE 36 EAST, VALLEY COUNTY.

Reservoir: ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESWNE	12	34N	36E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 8.00 FEET
Depth: 5.00 FEET
Surface Area: 8.80 ACRES
Capacity: 17.60 ACRE-FEET

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			NESWNE	12	34N	36E	VALLEY
2			E2NWNE	12	34N	36E	VALLEY

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168292-00 STATEMENT OF CLAIM
Version: 4 – POST DECREE
Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: APRIL 1, 1949

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: COLLINS 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		NENWSE	22	34N	36E	VALLEY

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

Diversion Means: DAM

THE RESERVOIR EXTENDS INTO THE S2SWNE, SECTION 22, TOWNSHIP 34 NORTH, RANGE 36 EAST, VALLEY COUNTY.

Reservoir: ONSTREAM **Reservoir Name:** DESERT RES

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWSE	22	34N	36E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 13.00 FEET

Depth: 10.00 FEET

Surface Area: 20.00 ACRES

Capacity: 80.00 ACRE-FEET

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			NWSE	22	34N	36E	VALLEY
2			S2SWNE	22	34N	36E	VALLEY

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168294-00 STATEMENT OF CLAIM

Version: 4 – POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: APRIL 1, 1949

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 BURNETT 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		NESWSW	25	34N	36E	VALLEY

***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>
	N2SWSW	25	34N	36E	VALLEY

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			N2SWSW	25	34N	36E	VALLEY

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168295-00 STATEMENT OF CLAIM

Version: 4 – POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: APRIL 1, 1955

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: EAST FORK COLLINS 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		NWSESE	26	34N	36E	VALLEY

***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>
	SE	26	34N	36E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 8.00 FEET

Depth: 5.00 FEET

Surface Area: 16.00 ACRES

Capacity: 32.00 ACRE-FEET

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			SE	26	34N	36E	VALLEY

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168296-00 STATEMENT OF CLAIM

Version: 4 – POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: APRIL 1, 1949

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 COLLINS 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		SWSWNE	34	34N	36E	VALLEY

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

Diversion Means: DAM

THE RESERVOIR EXTENDS INTO THE E2SENEW, SECTION 34, TOWNSHIP 34 NORTH, RANGE 36 EAST, VALLEY COUNTY.

Reservoir: ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	W2SWNE	34	34N	36E	VALLEY

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			W2SWNE	34	34N	36E	VALLEY
2			E2SENEW	34	34N	36E	VALLEY

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168297-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: APRIL 1, 1953

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: EAST FORK COLLINS 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		SWSESE	14	34N	36E	VALLEY

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

Diversion Means: DAM

THE RESERVOIR EXTENDS INTO THE SENE, SECTION 14, TOWNSHIP 34 NORTH, RANGE 36 EAST, VALLEY COUNTY.

Reservoir: ONSTREAM **Reservoir Name:** CORRAL RESERVOIR WEST

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	E2SE	14	34N	36E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 11.00 FEET

Depth: 8.00 FEET

Surface Area: 30.00 ACRES

Capacity: 96.00 ACRE-FEET

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			SENE	14	34N	36E	VALLEY
2			E2SE	14	34N	36E	VALLEY

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168298-00 STATEMENT OF CLAIM

Version: 4 – POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: APRIL 1, 1949

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 EAST FORK COLLINS 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		NENWNE	14	34N	36E	VALLEY

***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>
	N2N2NE	14	34N	36E	VALLEY

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			N2N2NE	14	34N	36E	VALLEY

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168301-00 STATEMENT OF CLAIM

Version: 4 – POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC

1640 OLD 421 S
BOONE, NC 28607

Priority Date: NOVEMBER 8, 1968

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 CHISHOLM 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		SWSWNW	10	34N	37E	VALLEY

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>
	W2SWNW	10	34N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 TO NOVEMBER 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			W2SWNW	10	34N	37E	VALLEY

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: W2 OF SECTION 15, TOWNSHIP 34 NORTH, RANGE 37 EAST, VALLEY COUNTY, MONTANA.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168303-00 STATEMENT OF CLAIM

Version: 4 – POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: FEBRUARY 13, 1962

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 CHISHOLM 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		SENENW	14	34N	37E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

THE RESERVOIR EXTENDS INTO THE W2NWNE, SECTION 14, TOWNSHIP 34 NORTH, RANGE 37 EAST, VALLEY COUNTY.

Reservoir: ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SENENW	14	34N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 TO NOVEMBER 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			W2NWNE	14	34N	37E	VALLEY
2			SENENW	14	34N	37E	VALLEY

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: W2 OF SECTION 15, TOWNSHIP 34 NORTH, RANGE 37 EAST, VALLEY COUNTY, MONTANA.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168304-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: NOVEMBER 8, 1968

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 CHISHOLM 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		SESENE	15	34N	37E	VALLEY

Period of Diversion: APRIL 1 TO NOVEMBER 30

Diversion Means: DAM

Reservoir: ONSTREAM **Reservoir Name:** ABACK RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	E2SENE	15	34N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 8.00 FEET

Depth: 5.00 FEET

Surface Area: 4.50 ACRES

Capacity: 9.00 ACRE-Feet

Period of Use: APRIL 1 TO NOVEMBER 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			E2SENE	15	34N	37E	VALLEY

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: W2 OF SECTION 15, TOWNSHIP 34 NORTH, RANGE 37 EAST, VALLEY COUNTY, MONTANA.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168307-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: APRIL 1, 1960

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: BADLAND COULEE

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	20	34N	37E	VALLEY

***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>
	NESESE	20	34N	37E	VALLEY

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			NESESE	20	34N	37E	VALLEY

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

Water Right Number: 40N 168308-00 STATEMENT OF CLAIM

Version: 4 – POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: AUGUST 11, 1971

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 CHISHOLM 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		SENENE	24	34N	37E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ONSTREAM **Reservoir Name:** HAIL DAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	E2NENE	24	34N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 8.00 FEET

Depth: 5.00 FEET

Surface Area: 3.20 ACRES

Capacity: 6.40 ACRE-FEET

Period of Use: APRIL 1 TO NOVEMBER 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			E2NENE	24	34N	37E	VALLEY

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: W2 OF SECTION 15, TOWNSHIP 34 NORTH, RANGE 37 EAST, VALLEY COUNTY, MONTANA.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168309-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: NOVEMBER 7, 1969

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 BITTER 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		SESWNE	26	34N	37E	VALLEY

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>
	S2NE	26	34N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 TO NOVEMBER 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			S2NE	26	34N	37E	VALLEY

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: W2 OF SECTION 15, TOWNSHIP 34 NORTH, RANGE 37 EAST, VALLEY COUNTY, MONTANA.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168310-00 STATEMENT OF CLAIM

Version: 4 – POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: APRIL 1, 1965

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>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESESE	29	34N	37E	VALLEY

***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>
	E2E2SE	29	34N	37E	VALLEY

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			E2E2SE	29	34N	37E	VALLEY

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168312-00 STATEMENT OF CLAIM

Version: 4 – POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: AUGUST 11, 1971

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 CHISHOLM 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		NESWSW	11	34N	37E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

THE RESERVOIR EXTENDS INTO THE SWNESW AND E2NWSW SECTION 11, TOWNSHIP 34 NORTH, RANGE 37 EAST, VALLEY COUNTY.

Reservoir: ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESWSW	11	34N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 TO NOVEMBER 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			NESWSW	11	34N	37E	VALLEY
2			SWNESW	11	34N	37E	VALLEY
3			E2NWSW	11	34N	37E	VALLEY

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: W2 OF SECTION 15, TOWNSHIP 34 NORTH, RANGE 37 EAST, VALLEY COUNTY, MONTANA.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168313-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: JANUARY 1, 1973

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 CHISHOLM 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		SWNNW	11	34N	37E	VALLEY

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	11	34N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 TO NOVEMBER 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			NWNW	11	34N	37E	VALLEY

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: W2 OF SECTION 15, TOWNSHIP 34 NORTH, RANGE 37 EAST, VALLEY COUNTY, MONTANA.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168318-00 STATEMENT OF CLAIM

Version: 3 – POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: DECEMBER 31, 1949

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 CHISHOLM 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		NESENE	16	34N	37E	VALLEY

Period of Diversion: APRIL 1 TO NOVEMBER 30

Diversion Means: DAM

THE DAM EXTENDS INTO THE SWNWNW SEC 15 TWP 34N RGE 37E VALLEY COUNTY.

Reservoir: ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESENE	16	34N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 8.00 FEET

Depth: 5.00 FEET

Surface Area: 21.00 ACRES

Capacity: 42.00 ACRE-FEET

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			SWNWNW	15	34N	37E	VALLEY

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168333-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: FEBRUARY 13, 1962

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 WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNE	31	35N	37E	VALLEY

Period of Diversion: APRIL 1 TO NOVEMBER 30

Diversion Means: DAM

THE RESERVOIR EXTENDS INTO THE NESENW, SECTION 31, TOWNSHIP 35 NORTH, RANGE 37 EAST, VALLEY COUNTY.

Reservoir: ONSTREAM **Reservoir Name:** HENRY RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	W2SWNE	31	35N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 8.00 FEET

Depth: 5.00 FEET

Surface Area: 6.20 ACRES

Capacity: 12.40 ACRE-FEET

Period of Use: APRIL 1 TO NOVEMBER 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			W2SWNE	31	35N	37E	VALLEY
2			NESENW	31	35N	37E	VALLEY

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: SW, S2NW, NENW OF SECTION 31, TOWNSHIP 35 NORTH, RANGE 37 EAST, VALLEY COUNTY, MONTANA.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168334-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: FEBRUARY 13, 1962

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 DEEP 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		NWNWNE	32	35N	37E	VALLEY

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>
	NWNWNE	32	35N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 TO NOVEMBER 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			W2NWNE	32	35N	37E	VALLEY

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: E2NW OF SECTION 32, TOWNSHIP 35 NORTH, RANGE 37 EAST, VALLEY COUNTY, MONTANA.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168336-00 STATEMENT OF CLAIM

Version: 4 – POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: AUGUST 11, 1971

Type of Historical Right: FILED

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 WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNE	35	35N	37E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

THE RESERVOIR EXTENDS INTO THE SWNE AND SENWNE, SECTION 35, TOWNSHIP 35 NORTH, RANGE 37 EAST, VALLEY COUNTY.

Reservoir: ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESWNE	35	35N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 TO NOVEMBER 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			NESWNE	35	35N	37E	VALLEY
2			SENWNE	35	35N	37E	VALLEY
3			SWNE	35	35N	37E	VALLEY

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: E2E2 OF SECTION 35, TOWNSHIP 35 NORTH, RANGE 37 EAST, VALLEY COUNTY, MONTANA.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168340-00 STATEMENT OF CLAIM

Version: 5 -- POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: AUGUST 11, 1971

Type of Historical Right: FILED

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 WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSENE	33	35N	37E	VALLEY

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

Diversion Means: DAM

THE RESERVOIR EXTENDS INTO THE S2NENE AND E2SWNE, SECTION 33, TOWNSHIP 35 NORTH, RANGE 37 EAST, VALLEY COUNTY.

Reservoir: ONSTREAM **Reservoir Name:** HALTER RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	W2SENE	33	35N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 8.00 FEET

Depth: 5.00 FEET

Surface Area: 11.50 ACRES

Capacity: 23.00 ACRE-FEET

Period of Use: APRIL 1 TO NOVEMBER 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			W2SENE	33	35N	37E	VALLEY
2			E2SWNE	33	35N	37E	VALLEY
3			S2NENE	33	35N	37E	VALLEY

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168342-00 STATEMENT OF CLAIM

Version: 4 – POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: FEBRUARY 13, 1962

Type of Historical Right: FILED

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 WEST FORK WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	3	35N	38E	VALLEY

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>
	SE	3	35N	38E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 TO NOVEMBER 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			SE	3	35N	38E	VALLEY

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: SWNW, E2NW, SWE2 OF SECTION 10, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY, MONTANA.

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

Water Right Number: 40N 168345-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: NOVEMBER 7, 1969

Type of Historical Right: FILED

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 LONE TREE COULEE

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	11	35N	38E	VALLEY

Period of Diversion: APRIL 1 TO NOVEMBER 30

Diversion Means: DAM

THE RESERVOIR EXTENDS INTO THE SENESE, SECTION 11, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY.

Reservoir: ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESESE	11	35N	38E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 TO NOVEMBER 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			NESESE	11	35N	38E	VALLEY
2			SENESE	11	35N	38E	VALLEY

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: SW OF SECTION 11, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY, MONTANA.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168349-00 STATEMENT OF CLAIM

Version: 4 – POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: NOVEMBER 8, 1968

Type of Historical Right: FILED

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 LONE TREE COULEE

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		NWNWNW	23	35N	38E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

THE RESERVOIR EXTENDS INTO THE NENENE, SECTION 22, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY.

Reservoir: ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNWNW	23	35N	38E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 TO NOVEMBER 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			NWNWNW	23	35N	38E	VALLEY
2			NENENE	22	35N	38E	VALLEY

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: SW OF SECTION 14, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY, MONTANA.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168350-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: NOVEMBER 7, 1969

Type of Historical Right: FILED

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 WEST FORK WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENW	9	35N	38E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

THE RESERVOIR EXTENDS INTO THE W2SESW, SECTION 4, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY.

Reservoir: ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNENW	9	35N	38E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 TO NOVEMBER 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			W2SESW	4	35N	38E	VALLEY
2			NWNENW	9	35N	38E	VALLEY

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: W2SW, SENE, SE OF SECTION 9, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY, MONTANA.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168351-00 STATEMENT OF CLAIM

Version: 4 – POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: JANUARY 1, 1973

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 WEST FORK WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWNE	4	35N	38E	VALLEY

Period of Diversion: APRIL 1 TO NOVEMBER 30

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>
	E2SWNE	4	35N	38E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 TO NOVEMBER 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			E2SWNE	4	35N	38E	VALLEY

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: LOTS 3, 4, S2NW OF SECTION 5, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY, MONTANA.

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

Water Right Number: 40N 168353-00 STATEMENT OF CLAIM

Version: 4 – POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: JUNE 20, 1973

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 WEST FORK WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNW	21	35N	38E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

THE RESERVOIR EXTENDS INTO THE S2NWNW, SECTION 21, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY.

Reservoir: ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	N2SWNW	21	35N	38E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 TO NOVEMBER 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			N2SWNW	21	35N	38E	VALLEY
2			S2NWNW	21	35N	38E	VALLEY

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: SE OF SECTION 21, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY, MONTANA.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168354-00 STATEMENT OF CLAIM

Version: 4 – POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: NOVEMBER 8, 1968

Type of Historical Right: FILED

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 WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENENW	30	35N	38E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

THE RESERVOIR EXTENDS INTO THE W2NWN, SECTION 30, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY.

Reservoir: ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	E2NENW	30	35N	38E	VALLEY

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			E2NENW	30	35N	38E	VALLEY
2			W2NWN	30	35N	38E	VALLEY

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: LOTS 1, 2, E2NW OF SECTION 19, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY, MONTANA.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168361-00 STATEMENT OF CLAIM

Version: 4 – POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: APRIL 1, 1970

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>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESESW	10	35N	39E	VALLEY

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

Diversion Means: DAM

THE RESERVOIR EXTENDS INTO THE SWSE, SECTION 10 AND N2NWNE, SECTION 15, TOWNSHIP 35 NORTH, RANGE 39 EAST, VALLEY COUNTY.

Reservoir: ONSTREAM **Reservoir Name:** OJUEL RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SESESW	10	35N	39E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 8.00 FEET

Depth: 5.00 FEET

Surface Area: 13.00 ACRES

Capacity: 26.00 ACRE-FEET

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			SWSE	10	35N	39E	VALLEY
2			SESESW	10	35N	39E	VALLEY
3			N2NWNE	15	35N	39E	VALLEY

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168364-00 STATEMENT OF CLAIM

Version: 4 – POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: APRIL 1, 1970

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>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1	NW	18	35N	39E	VALLEY

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

Diversion Means: DAM

THE RESERVOIR EXTENDS INTO GOVT LOT 12, SW, SECTION 7, TOWNSHIP 35 NORTH, RANGE 39 EAST, VALLEY COUNTY.

Reservoir: ONSTREAM **Reservoir Name:** INDIAN OCEAN

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	NW	18	35N	39E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 13.00 FEET

Depth: 10.00 FEET

Surface Area: 13.00 ACRES

Capacity: 52.00 ACRE-FEET

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		1	NW	18	35N	39E	VALLEY
2		12	SW	7	35N	39E	VALLEY

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 168366-00 STATEMENT OF CLAIM

Version: 4 – POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: FEBRUARY 13, 1962

Type of Historical Right: FILED

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 WEST FORK WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENE SW	34	36N	38E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

THE RESERVOIR EXTENDS INTO THE SWNWSE, SECTION 34, TOWNSHIP 36 NORTH, RANGE 38 EAST, VALLEY COUNTY.

Reservoir: ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SENE SW	34	36N	38E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 TO NOVEMBER 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			SENE SW	34	36N	38E	VALLEY
2			SWNWSE	34	36N	38E	VALLEY

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: SWNW, E2NW, SW, E2 OF SECTION 10, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY, MONTANA.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 188675-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: DECEMBER 31, 1950

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 DEEP 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		SWNWNW	35	36N	37E	VALLEY

***Period of Diversion:** APRIL 1 TO NOVEMBER 30

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	35	36N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: JULY 15 TO NOVEMBER 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			NWNW	35	36N	37E	VALLEY

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
ROCK CREEK, TRIBUTARY TO MILK RIVER
BASIN 40N**

Water Right Number: 40N 210853-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
1640 OLD 421 S
BOONE, NC 28607

Priority Date: NOVEMBER 24, 1908

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 10.30 CFS

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

Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 272.00

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENESE	30	34N	37E	VALLEY

Period of Diversion: MARCH 15 TO JULY 15

Diversion Means: PUMP/FLOOD AND DIKE

Period of Use: MARCH 15 TO JULY 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	58.49		S2	19	34N	37E	VALLEY
2	125.32		E2	30	34N	37E	VALLEY
3	47.45		NE	31	34N	37E	VALLEY
4	5.20		W2W2NW	32	34N	37E	VALLEY
5	35.54		W2W2	29	34N	37E	VALLEY

Total: 272.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

168315-00

210852-00

210853-00

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40N-0041-R-2021

May 2, 2022

Montana Water Court

Attorneys for Carroll MT Properties LLC

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

CLAIMANTS: Carroll MT Properties LLC

OBJECTORS: Carroll MT Properties LLC

CASE 40N-0041-R-2021

40N 168283-00	40N 168318-00
40N 168286-00	40N 168333-00
40N 168291-00	40N 168334-00
40N 168292-00	40N 168336-00
40N 168294-00	40N 168340-00
40N 168295-00	40N 168342-00
40N 168296-00	40N 168345-00
40N 168297-00	40N 168349-00
40N 168298-00	40N 168350-00
40N 168301-00	40N 168351-00
40N 168303-00	40N 168353-00
40N 168304-00	40N 168354-00
40N 168307-00	40N 168361-00
40N 168308-00	40N 168364-00
40N 168309-00	40N 168366-00
40N 168310-00	40N 188675-00
40N 168312-00	40N 210853-00
40N 168313-00	

**CLAIMANT/OBJECTOR CARROLL MT PROPERTIES LLC'S FILING OF
 INFORMATION TO RESOLVE OBJECTIONS AND ISSUE REMARKS**

Claimant/Objector Carroll MT Properties LLC ("Carroll") by and through its counsel of record, Browning, Kaleczyc, Berry & Hoven, P.C., and pursuant to the Water Master's Order dated April 11, 2022, hereby files information and documentation to resolve the objections and issue remarks on the above captioned claims.

Case 40N-0041-R-2021 involves 35 water rights owned by Carroll. A summary of the proposed corrections to the claims is provided below. Proposed revised abstracts for each of the water rights at issue are included as **Exhibit 1**.

As an initial matter, Carroll *withdraws* its objections to period of use associated with claims 40N 168301-00, 168303-00, 168304-00, 168308-00, 168309-00, 168312-00, 168313-00, 168333-00, 168334-00, 168336-00, 168340-00, 168342-00, 168345-00, 168349-00, 168350-00, 168351-00, 168353-00, 168354-00, and 168366-00.

Carroll's remaining objections to other elements within case 40N-0041-R-2021 are discussed by individual claim below.

Claim 40N 168283-00

Carroll filed a self-objection to the period of diversion/period of use, source, and the reservoir record. The objection is provided below:

Source should be corrected to Unnamed Tributary of Lone Tree Coulee to accurately reflect USGS maps. Reservoir Record is incorrect and should be corrected to S2NENE Section 31, T36N, R39E. Period of Use was incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use.

A map of this claim is attached as **Exhibit 2** and a proposed revised abstract is included in **Exhibit 1**.

Period of use

Claim 40N 168283-00 is a stock use right utilized by Carroll lying on Carroll property. Carroll's predecessor, Hinsdale Livestock Company, ran stock from 1949 to 2002 on the lands encompassed in **Exhibit 2** between January to December, whenever conditions allowed and water was available. *See* Aff. Joseph Etchart, ¶ 5, March 30, 2022 (attached as **Exhibit 3**). To better reflect historical stock use on the Carroll property covered in Case 40N-0041-R-2021, the period of use in claim 40N 168283-00 should be corrected to: JANUARY 1 to DECEMBER 31.

Source

Carroll's self-objection requests the source be corrected to "unnamed tributary of Lone Tree Coulee." The statement of claim claimed the source as an unnamed tributary of Willow Creek. However, the source was corrected by the Department of Natural Resources and Conservation (the "Department") to an unnamed tributary of Tree Coulee and reflected on the post decree and current abstract as such. Aerial imagery of claim 40N 168283-00's place of use reflects the source is an unnamed tributary of Lone Tree Coulee (attached as Exhibit 4). Thus, the source in claim 40N 168283-00 should be corrected to the unnamed tributary of Lone Tree Coulee.

Reservoir record

Carroll's self-objection requests the reservoir record place of use should be corrected to the S2NENE of Section 31, Township 36 North, Range 39 East. The statement of claim accounted for a portion of the reservoir within the SWNENE of Section 31, Township 36 North, Range 39 East. Aerial imagery clearly depicts the reservoir extends into the S2NENE of Section 31, Township 36 North, Range 39 East. See Exhibit 5. To better reflect stock watering use, the reservoir record should be updated to accurately include the legal descriptions of the entire reservoir.

Claim 40N 168286-00

Carroll filed a self-objection to the period of diversion/period of use, place of use/maximum acres, and the reservoir record. The objection is provided below:

Reservoir Record and POU are incomplete. POU should be corrected to include SENESE Section 32 and SWNWSW Section 33 T36N R39E. An informational remark should be added to reservoir record to specify that the reservoir also extends into SENESE Section 32 and SWNWSW Section 33, T36N, R39E. Period of Use was incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1.

Period of use

Claim 40N 168286-00 is a stock use right utilized by Carroll lying on Carroll property. Carroll's predecessor, Hinsdale Livestock Company, ran stock from 1949 to 2002 on the lands encompassed in Exhibit 2 between January to December, whenever conditions allowed and water was available. See Aff. Joseph Etchart, ¶ 5, March 30, 2022 (attached as Exhibit 3). To better reflect historical stock use on the Carroll property covered in Case 40N-0041-R-2021, the period of use in claim 40N 168286-00 should be corrected to: JANUARY 1 to DECEMBER 31.

Place of use

Carroll's self-objection requests the place of use be corrected to include the SENESE of Section 32 and the SWNWSW of Section 33, Township 36 North, Range 39 East. The statement of claim depicted the place of use as in the NESESE of Section 32, Township 36 North, Range 39 East. The Water Court, on June 8, 2009, ordered a clarification remark be added to claim 40N 168286-00 stating:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: LOTS 1, 2, 3, 4, S2N2, S2 OF SECTION 5, TOWNSHIP 35 NORTH, RANGE 39 EAST, VALLEY COUNTY, MONTANA.

The place of use consists of both Carroll owned property and federally owned property, which was made appurtenant to Carroll's property in Section 5 of Township 35 North, Range 39 East. The onstream reservoir used for stock watering purposes not only encompasses the NESESE of Section 32, Township 36 North, Range 39 East, but also extends to federally-owned land in the SENESE of Section 32 and the SWNWSW of Section 33, Township 36 North, Range 39 East. See Exhibit 6. To accurately reflect stock watering use on the entire reservoir, claim

40N 168286-00 should incorporate the SENESE of Section 32 and the SWNWSW of Section 33, Township 36 North, Range 39 East.

Reservoir record

Carroll's self-objection requests an informational remark should be added to the reservoir record to specify that the reservoir also extends into the SENESE of Section 32 and the SWNWSW of Section 33, Township 36 North, Range 39 East. Synonymous with Carroll's place of use objection, the claim file should appropriately reflect stock watering use on the entire onstream reservoir, located in the SENESE of Section 32 and the SWNWSW of Section 33, Township 36 North, Range 39 East. See Exhibit 6. Thus, an informational remark should be added to the reservoir record addressing the additional legal land descriptions reflecting the entire onstream reservoir.

Claim 40N 168291-00

Carroll filed a self-objection to the period of diversion/period of use, place of use/maximum acres, and the reservoir record. The objection is provided below:

Period of use was incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir record is incorrect and should be corrected by adding an informational remark stating that the reservoir extends into E2NWNE Section 12, T34N R36E. POU was incorrectly claimed and should be corrected to NBSWNE and E2NWNE Section 12, T34N, R36E.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1.

Period of use

Claim 40N 168291-00 is a stock use right utilized by Carroll lying on Carroll property. Carroll's predecessor, Hinsdale Livestock Company, ran stock from 1949 to 2002 on the lands encompassed in Exhibit 2 between January to December, whenever conditions allowed and water was available. See Aff. Joseph Etchart, ¶ 5, March 30, 2022 (attached as Exhibit 3). To

better reflect historical stock use on the Carroll property covered in Case 40N-0041-R-2021, the period of use in claim 40N 168291-00 should be corrected to: JANUARY 1 to DECEMBER 31.

Place of use

Carroll's self-objection requests the place of use be corrected to the NESWNE and E2NWNE of Section 12, Township 34 North, Range 36 East. The statement of claim incorrectly depicts the place of use as in the NESENE of Section 12, Township 34 North, Range 36 East. However, the Department corrected the place of use, which now appears on the claim abstract as within the NESWNE and SENWNE of Section 12, Township 34 North, Range 36 East. Current imagery indicates the entire reservoir, located on Carroll property, is within the NESWNE and the E2NWNE of Section 12, Township 34 North, Range 36 East. See Exhibit 7. To better reflect stock watering use on the entire reservoir, the place of use should be corrected to include the preceding legal descriptions.

Reservoir record

Carroll's self-objection requests an informational remark be added to the reservoir record stating that the reservoir extends into the E2NWNE of Section 12, Township 34 North, Range 36 East. Synonymous with Carroll's place of use objection, the claim file should appropriately reflect stock watering use on the entire onstream reservoir, located within the NESWNE and the E2NWNE of Section 12, Township 34 North, Range 36 East. See Exhibit 7. Thus, an informational remark should be added to the reservoir record indicating the additional legal land descriptions reflecting the entire onstream reservoir.

Claim 40N 168292-00

Carroll filed a self-objection to the period of diversion/period of use and the reservoir record. The objection is provided below:

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Period of Use was incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir Record incorrectly claimed and should be corrected to NWSE Section 22, T34N, R36E, and by adding an informational remark stating that the reservoir extends into S2SWNE Section 22, T34N R36E.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1.

Period of use

Claim 40N 168292-00 is a stock use right utilized by Carroll lying on Carroll property. Carroll's predecessor, Hinsdale Livestock Company, ran stock from 1949 to 2002 on the lands encompassed in Exhibit 2 between January to December, whenever conditions allowed and water was available. *See* Aff. Joseph Etchart, ¶ 5, March 30, 2022 (attached as Exhibit 3). To better reflect historical stock use on the Carroll property covered in Case 40N-0041-R-2021, the period of use in claim 40N 168292-00 should be corrected to: JANUARY 1 to DECEMBER 31.

Reservoir record

Carroll's self-objection requests the reservoir record should be corrected to the NWSE of Section 22, Township 34 North, Range 36 East, and that an informational remark be added to the reservoir record stating that the reservoir extends into the S2SWNE of Section 22, Township 34 North, Range 36 East. The abstract includes places of use in the NWSE and S2SWNE of Section 22, Township 34 North, Range 36 East, both of which lie within the reservoir. The claim file should reflect the stock watering use on the entire reservoir, which extends into the S2SWNE of Section 22, Township 34 North, Range 36 East. *See* Exhibit 8. To better reflect stock watering use, the reservoir record should be updated to accurately include the legal descriptions of the entire reservoir, and an informational remark should be added indicating the reservoir extends into the S2SWNE of Section 22, Township 34 North, Range 36 East.

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Claim 40N 168294-00

Carroll filed a self-objection to the period of diversion/period of use, place of use/maximum acres, and the reservoir record. The objection is provided below:

Period of Use was incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir Record/POU were incorrectly [claimed] and should be corrected from NESWSW to N2SWSW Section 25, T34N, R26E.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1.

Period of use

Claim 40N 168294-00 is a stock use right utilized by Carroll lying on Carroll property. Carroll's predecessor, Hinsdale Livestock Company, ran stock from 1949 to 2002 on the lands encompassed in Exhibit 2 between January to December, whenever conditions allowed and water was available. See Aff. Joseph Etchart, ¶ 5, March 30, 2022 (attached as Exhibit 3). To better reflect historical stock use on the Carroll property covered in Case 40N-0041-R-2021, the period of use in claim 40N 168294-00 should be corrected to: JANUARY 1 to DECEMBER 31.

Place of use

Carroll's self-objection requests the place of use for claim 40N 168294-00 should be corrected to the N2SWSW of Section 25, Township 34 North, Range 36 East. The statement of claim incorrectly depicts the place of use as in the NESWSW of Section 25, Township 34 North, Range 36 East. Aerial imagery depicts the entire reservoir, located on Carroll property, is within the N2SWSW of Section 25, Township 34 North, Range 36 East. See Exhibit 9. To better reflect stock water use on the entire reservoir, the place of use should be corrected to include the preceding legal descriptions.

Reservoir record

Carroll's self-objection requests the reservoir record should be corrected to contain the legal land description of the N2SWSW of Section 25, Township 34 North, Range 36 East. Synonymous with Carroll's place of use objection, the claim file should appropriately reflect stock watering use within the entire onstream reservoir, located in the N2SWSW of Section 25, Township 34 North, Range 36 East. Aerial imagery depicts the entire reservoir within the corrected legal land description. See Exhibit 9. To better reflect stock water use on the entire reservoir, the place of use should be corrected to include the preceding legal descriptions.

Claim 40N 168295-00

Carroll filed a self-objection to the period of diversion/period of use, source, and the reservoir record. The objection is provided below:

Source was incorrectly claimed and should be corrected to East Fork, Collins Creek to accurately reflect USGS maps. Period of Use was incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir Record was incorrectly [claimed] and should be corrected to SE Section 26, T34N R36E to reflect accurate reservoir.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1.

Period of use

Claim 40N 168295-00 is a stock use right utilized by Carroll lying on Carroll property. Carroll's predecessor, Hinsdale Livestock Company, ran stock from 1949 to 2002 on the lands encompassed in Exhibit 2 between January to December, whenever conditions allowed and water was available. See Aff. Joseph Etchart, ¶ 5, March 30, 2022 (attached as Exhibit 3). To better reflect historical stock use on the Carroll property covered in Case 40N-0041-R-2021, the period of use in claim 40N 168295-00 should be corrected to: JANUARY 1 to DECEMBER 31.

Source

Carroll's self-objection requests the source should be corrected to the East Fork of Collins Creek. The statement of claim shows the source as an unnamed tributary of Willow Creek. The current abstract depicts the source as an unnamed tributary of Collins Creek, East Fork. The Department's claim map correctly reflects the source is located on the East Fork of Collins Creek and the abstract should be corrected to reflect the proper source. See Exhibit 10.

Reservoir record

Carroll's self-objection requests the reservoir record should be corrected to the SE of Section 26, Township 34 North, Range 36 East to reflect the accurate reservoir. The Department's map in the claim file clearly depicts the reservoir is entirely within the SE quarter of Section 26 in Township 34 North, Range 36 East. See Exhibit 10. The claim file should correctly reflect the entire reservoir due to stock watering use within that legal land description.

Claim 40N 168296-00

Carroll filed a self-objection to the period of diversion/period of use, place of use/maximum acres, and the reservoir record. The objection is provided below:

Period of Use was incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir Record was incorrectly claimed and should be corrected to W2SWNE Section 34, T34N R36E and an informational remark should be added stating that the reservoir extends into E2SENE Section 34, T34N R36E. POU was incorrectly claimed and should be corrected to W2SWNE and E2SENE Section 34 T34N R36E.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1.

Period of use.

Claim 40N 168296-00 is a stock use right utilized by Carroll lying on Carroll property. Carroll's predecessor, Hinsdale Livestock Company, ran stock from 1949 to 2002 on the lands encompassed in Exhibit 2 between January to December, whenever conditions allowed and

water was available. *See* Aff. Joseph Etchart, ¶ 5, March 30, 2022 (attached as Exhibit 3). To better reflect historical stock use on the Carroll property covered in Case 40N-0041-R-2021, the period of use in claim 40N 168296-00 should be corrected to: JANUARY 1 to DECEMBER 31.

Place of use

Carroll's self-objection requests the place of use be corrected to the W2SWNE and E2SENE of Section 34, Township 34 North, Range 36 East. The statement of claim incorrectly depicts the place of use as in the SWSWNE of Section 34, T34N, R36E. Aerial imagery indicates the entire reservoir, located on Carroll property, is within the SWSWNE of Section 34, Township 34 North, Range 36 East. *See* Exhibit 11. To better reflect stock watering use on the entire reservoir, the place of use should be corrected to include the preceding legal descriptions.

Reservoir record

Carroll's self-objection requests the reservoir record should be corrected to the W2SWNE of Section 34, Township 34 North, Range 36 East, and that an informational remark should be added to indicate the reservoir extends into the E2SENE of Section 34, Township 34 North, Range 36 East. The Department's claim map clearly depicts a portion of the reservoir sits within the W2SWNE of Section 34, Township 34 North, Range 36 East, and another portion of the reservoir extends into the E2SENE of Section 34, Township 34 North, Range 36 East. *See* Exhibit 11. Synonymous with Carroll's place of use objection, the claim file should appropriately reflect stock watering use on the entire onstream reservoir. Additionally, an informational remark should be added to the reservoir record indicating the additional legal land descriptions reflecting the entire onstream reservoir.

Claim 40N 168297-00

Carroll filed a self-objection to the period of diversion/period of use, place of use/maximum acres, and the reservoir record. The objection is provided below:

Period of Use was incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir Record was incorrectly claimed and should be corrected to SE Section 14, T34N R36E and an informational remark should be added stating that the reservoir extends into SENE Section 14, T34N R36E. POU was incorrectly claimed and should be corrected to SE and SENE Section 14, T34N E36E.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1.

Period of use

Claim 40N 168297-00 is a stock use right utilized by Carroll lying on Carroll property. Carroll's predecessor, Hinsdale Livestock Company, ran stock from 1949 to 2002 on the lands encompassed in Exhibit 2 between January to December, whenever conditions allowed and water was available. See Aff. Joseph Etchart, ¶ 5, March 30, 2022 (attached as Exhibit 3). To better reflect historical stock use on the Carroll property covered in Case 40N-0041-R-2021, the period of use in claim 40N 168297-00 should be corrected to: JANUARY 1 to DECEMBER 31.

Place of use

Carroll's self-objection requests the place of use be corrected to the SE and SENE of Section 14, Township 34 North, Range 36 East. The statement of claim lists the place of use as in the SWSESE of Section 14, Township 34 North, Range 36 East. Aerial imagery depicts the entire reservoir as on the SE and SENE of Section 14, Township 34 North, Range 36 East. See Exhibit 12. To better reflect stock watering use on the entire reservoir, the place of use should be corrected to include the preceding legal descriptions.

Reservoir record

Carroll's self-objection requests the reservoir record should be corrected to the SE of Section 14, Township 34 North, Range 36 East, and an informational remark should be added to indicate the reservoir extends into the SENE of Section 14, Township 34 North, Range 36 East. The Department's claim map clearly depicts a majority of the reservoir sits within the SE of

Section 14, Township 34 North, Range 36 East, and a small portion extends into the SENE of Section 14, Township 34 North, Range 36 East. *See Exhibit 12.* Synonymous with Carroll's place of use objection, the claim file should appropriately reflect stock watering use on the entire onstream reservoir. Additionally, an informational remark should be added to the reservoir record indicating the additional legal land descriptions reflecting the entire onstream reservoir.

Claim 40N 168298-00

Carroll filed a self-objection to the period of diversion/period of use and place of use/maximum acres. The objection is provided below:

Period of Use was incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. POU was incorrectly claimed and should be corrected to N2N2NE Section 14, T34N, R36E to match the Reservoir Record.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1.

Period of use

Claim 40N 168298-00 is a stock use right utilized by Carroll lying on Carroll property. Carroll's predecessor, Hinsdale Livestock Company, ran stock from 1949 to 2002 on the lands encompassed in Exhibit 2 between January to December, whenever conditions allowed and water was available. *See Aff. Joseph Etchart, ¶ 5, March 30, 2022 (attached as Exhibit 3).* To better reflect historical stock use on the Carroll property covered in Case 40N-0041-R-2021, the period of use in claim 40N 168298-00 should be corrected to: JANUARY 1 to DECEMBER 31.

Place of use

Carroll's self-objection requests the place of use should be corrected to the N2N2NE of Section 14, Township 34 North, Range 36 East to match the reservoir record. The statement of claim lists the place of use as in the NWNWNE of Section 14, Township 34 North, Range 36 East, which was corrected to the NENWNE of Section 14, Township 34 North, Range 36 East.

Aerial imagery depicts the entire reservoir as in the N2N2NE of Section 14, Township 34 North, Range 36 East. *See Exhibit 13.* To better reflect stock watering use on the entire reservoir, and Carroll property, the place of use should be corrected to reflect the reservoir record's legal descriptions,

Claim 40N 168301-00

Carroll filed a self-objection to the period of diversion/period of use, place of use/maximum acres, and reservoir record. The objection is provided below:

Reservoir Record and POU are incomplete. Reservoir Record/POU should be corrected to W2SWNW Section 10, T34N R37E to reflect entire reservoir. Period of Use was incorrectly claimed as April 1 to November 30 and should be corrected to year-Round to accurately reflect historic use.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1. As noted above, Carroll *withdraws* its period of use objection.

Place of use

Carroll's self-objection requests the place of use be corrected to the W2SWNW of Section 10, Township 34 North, Range 37 East to reflect the entire reservoir. Aerial imagery depicts the entire reservoir as within the W2SWNW of Section 10, Township 34 North, Range 37 East. *See Exhibit 14.* To better reflect stock watering use on the entire reservoir, the claim file should be corrected to include the preceding legal description.

Reservoir record

Carroll's self-objection requests the reservoir record should include an informational remark to include that the reservoir extends into the W2SWNW of Section 10, Township 34 North, Range 37 East to reflect the entire reservoir. The Department's claim file map depicts the entire reservoir is within the W2SWNW of Section 10 of Township 34 North, Range 37 East. *See Exhibit 14.* Synonymous with Carroll's place of use objection, the claim file should appropriately reflect stock watering use on the entire onstream reservoir.

Claim 40N 168303-00

Carroll filed a self-objection to the period of diversion/period of use and reservoir record.

The objection is provided below:

Reservoir Record should include informational remark stating that the reservoir extends into W2NWNE Section 14, T34N, R37E. Period of Use was incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1. As noted above, Carroll *withdraws* its period of use objection.

Reservoir record

Carroll's self-objection requests the reservoir record should include an informational remark stating that the reservoir extends into W2NWNE of Section 14, Township 34 North, Range 37 East. The Department's claim file map depicts the entire reservoir is within the W2NWNE of Section 14, Township 34 North, Range 37 East. See Exhibit 15. To better reflect stock watering use on the entire reservoir, the claim file should be corrected to include an informational remark stating the reservoir extends into the preceding legal descriptions.

Claim 40N 168304-00

Carroll filed a self-objection to the period of diversion/period of use, place of use/maximum acres, and reservoir record. The objection is provided below:

Period of Use & Diversion were incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir Record and POU are incomplete. Reservoir Record extends into NESENE Section 15. Reservoir Record/POU should be corrected to E2SENE Section 15, T34N R37E to reflect entire reservoir.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1. As noted above, Carroll *withdraws* its period of use objection.

Place of use

Carroll's self-objection requests the place of use should be corrected to the E2SENE of

Section 15, Township 34 North, Range 37 East to reflect the entire reservoir. The statement of claim lists the place of use as in the SESENE of Section 15, Township 34 North, Range 37 East. The Department's claim map depicts the entire reservoir is located within the E2SENE of Section 15, Township 34 North, Range 37 East. See Exhibit 16. To better reflect stock watering use on the entire reservoir, the claim file should be corrected to include the preceding legal descriptions.

Reservoir record

Carroll's self-objection requests the reservoir record should include an informational remark stating that the reservoir extends into NESENE of Section 15, Township 34 North, Range 37 East. The Department's claim file map shows the reservoir extends into the NESENE of Section 15, Township 34 North, Range 37 East. See Exhibit 16. Synonymous with Carroll's place of use objection, the claim file should appropriately reflect stock watering use on the entire onstream reservoir. Thus, an informational remark should be added stating the reservoir extends into the NESENE of Section 15, Township 34 North, Range 37 East.

Claim 40N 168307-00

Carroll filed a self-objection to the period of diversion/period of use and source. The objection is provided below:

Period of Use was incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Source was incorrectly claimed and should be corrected to Badland Coulee to accurately reflect USGS maps.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1.

Period of use

Claim 40N 168307-00 is a stock use right utilized by Carroll lying on Carroll property. Carroll's predecessor, Hinsdale Livestock Company, ran stock from 1949 to 2002 on the lands

encompassed in **Exhibit 2** between January to December, whenever conditions allowed and water was available. *See* Aff. Joseph Etchart, ¶ 5, March 30, 2022 (attached as **Exhibit 3**). To better reflect historical stock use on the Carroll property covered in Case 40N-0041-R-2021, the period of use in claim 40N 168307-00 should be corrected to: JANUARY 1 to DECEMBER 31.

Source

Carroll's self-objection requests the source should be corrected to Badland Coulee. The statement of claim and current abstract show the source as an unnamed tributary of Badland Coulee. Aerial imagery depicts the reservoir extends from Badland Coulee itself. *See Exhibit 17*. The claim file should reflect the correct source for the place of use as Badland Coulee.

Claim 40N 168308-00

Carroll filed a self-objection to the period of diversion/period of use and reservoir record.

The objection is provided below:

Period of Use was incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir Record

should be corrected to E2NENE Section 24, T34N R37E to match POU legal land descriptions.

A map of this claim is attached as **Exhibit 2** and a proposed revised abstract is included in **Exhibit 1**. As noted above, Carroll *withdraws* its period of use objection.

Reservoir record

Carroll's self-objection requests the reservoir record should be corrected to E2NENE of Section 24, Township 34 North, Range 37 East to match place of use legal land descriptions. The current abstract lists the place of use at the E2NENE of Section 24, Township 34 North, Range 37 East. The Department's claim file map shows the reservoir lies within the E2NENE of Section 24, Township 34 North, Range 37 East. *See Exhibit 18*. Synonymous with the current place of use, the claim file should be corrected to include the entire reservoir's legal land

descriptions within the E2NENE of Section 24, Township 34 North, Range 37 East.

Claim 40N 168309-00

Carroll filed a self-objection to the period of diversion/period of use, place of use/maximum acres, and reservoir record. The objection is provided below:

Period of Use was incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir Record should be corrected to include N2S2NE Section 26, T34N R37E to reflect entire reservoir. POU should be corrected to S2NE Section 26, T34N R37E to reflect accurate use.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1. As noted above, Carroll *withdraws* its period of use objection.

Place of use

Carroll's self-objection requests the place of use should be corrected to the S2NE of Section 26, Township 34 North, Range 37 East to reflect accurate use. The statement of claim lists the place of use as in the SESWNE of Section 26, Township 34 North, Range 37 East. The current abstract includes a remark stating:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: W2 OF SECTION 15, T34N, R37E, VALLEY COUNTY, MONTANA.

The place of use consists of both Carroll owned property and federally owned property, which was made appurtenant to Carroll's property in Section 15 of Township 34 North, Range 37 East. Aerial imagery reflects the entire reservoir within the S2NE portion of Section 26, T34N, R37E. See Exhibit 19. To accurately reflect stock watering use on the entire reservoir, claim 40N 168309-00's place of use should be corrected to the S2NE of Section 26, Township 34 North, Range 37 East.

Reservoir record

Carroll's self-objection requests the reservoir record should be corrected to include the

N2S2NE of Section 26, Township 34 North, Range 37 East to reflect the entire reservoir. The Department's claim file map shows the reservoir lies entirely within N2S2NE as well as the S2S2NE of Section 26, Township 34 North, Range 37 East. See Exhibit 19. Synonymous with Carroll's place of use objection, the claim file should be corrected to reflect the entire reservoir in the S2NE of Section 26, Township 34 North, Range 37 East.

Claim 40N 168310-00

Carroll filed a self-objection to the period of diversion/period of use, place of use/maximum acres, and reservoir record. The objection is provided below:

Period of Use was incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir record/POU were incorrectly claimed and should be corrected to E2E2SE Section 29, T34N R37E.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1.

Period of use

Claim 40N 168310-00 is a stock use right utilized by Carroll lying on Carroll property. Carroll's predecessor, Hinsdale Livestock Company, ran stock from 1949 to 2002 on the lands encompassed in Exhibit 2 between January to December, whenever conditions allowed and water was available. See Aff. Joseph Etchart, ¶ 5, March 30, 2022 (attached as Exhibit 3). To better reflect historical stock use on the Carroll property covered in Case 40N-0041-R-2021, the period of use in claim 40N 168310-00 should be corrected to: JANUARY 1 to DECEMBER 31.

Place of use

Carroll's self-objection requests the place of use should be corrected to E2E2SE of Section 29, Township 34 North, Range 37 East. The statement of claim lists the place of use as in the NESESE of Section 29, Township 34 North, Range 37 East. The Department's claim map depicts the entire reservoir sits within the E2E2SE of Section 29, T34N, R37E. See Exhibit 20.

To better reflect stock watering use on the entire reservoir, the claim file should be corrected to include the appropriate place of use legal descriptions.

Reservoir record

Carroll's self-objection requests the reservoir record should be corrected to the E2E2SE of Section 29, Township 34 North, Range 37 East. The current abstract depicts the reservoir record within NESESE of Section 29, Township 34 North, Range 37 East. The Department's claim file map shows the reservoir lies entirely within E2E2SE of Section 29, Township 34 North, Range 37 East. *See Exhibit 20.* Synonymous with Carroll's place of use objection, the claim file should be corrected to include the appropriate legal land descriptions for the entire reservoir.

Claim 40N 168312-00

Carroll filed a self-objection to the period of diversion/period of use, place of use/maximum acres, and reservoir record. The objection is provided below:

Reservoir Record and POU are incomplete. POU should be corrected to NESWSW, W2NWSW, and SWNESW of Section 11, T34N R37E. An informational remark should be added to the Reservoir Record stating the reservoir extends into W2NWSW and SWNESW Section 11, T34N, R37E. Period of Use was incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1. As noted above, Carroll *withdraws* its period of use objection.

Place of use

Carroll's self-objection requests the places of use should be corrected to the NESWSW, W2NWSW, and SWNESW of Section 11, Township 34 North, Range 37 East. The statement of claim lists the place of use as in the NESWSW of Section 11, Township 34 North, Range 37 East, while the current abstract depicts the places of use as in the NESWSW and SENWSW of Section 11, Township 34 North, Range 37 East. The Department's claim map shows the

reservoir also lies within the W2NWSW of Section 11, Township 34 North, Range 37 East and extends into the SWNESW of Section 11, Township 34 North, Range 37 East. *See Exhibit 21.* The place of use should reflect the entire reservoir due to stock watering use; thus, the abstract should be corrected to include W2NWSW of Section 11, T34N, R37E.

Reservoir record

Carroll's self-objection requests the reservoir record should include an informational remark stating the reservoir extends into the W2NWSW and SWNESW of Section 11, Township 34 North, Range 37 East. The current abstract depicts the reservoir as only within the NESWSW of Section 11, Township 34 North, Range 37 East. The Department's claim file map shows the reservoir also lies within the W2NWSW of Section 11, Township 34 North, Range 37 East and extends into the SWNESW of Section 11, Township 34 North, Range 37 East. *See Exhibit 21.* Synonymous with Carroll's place of use objection, and to better reflect stock watering use on the entire reservoir, the claim file should be corrected to include an informational remark stating the reservoir extends into the preceding legal descriptions.

Claim 40N 168313-00

Carroll filed a self-objection to the period of diversion/period of use, place of use/maximum acres, and reservoir record. The objection is provided below:

Reservoir Record and POU are incomplete. Reservoir record/POU should be corrected to include entire NWNW Section 11, T34N R37E. Period of Use was incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1. As noted above, Carroll *withdraws* its period of use objection.

Place of use

Carroll's self-objection requests the place of use should be corrected to include the entire NWNW of Section 11, Township 34 North, Range 37 East. The statement of claim lists the

place of use as in the SWNWNW of Section 11, Township 34 North, Range 37 East, while the current abstract depicts the place of use as in the S2NWNW of Section 11, Township 34 North, Range 37 East. The Department's claim map shows the reservoir extends into the NWNW of Section 11, T34N, R37E. See Exhibit 22. To better reflect stock watering use on the entire reservoir, the claim file should be corrected to include a place of use within the entire NWNW of Section 11, Township 34 North, Range 37 East.

Reservoir record

Carroll's self-objection requests the reservoir record should be corrected to include the entire NWNW of Section 11, Township 34 North, Range 37 East. The current abstract depicts the reservoir as only within the S2NWNW of Section 11, Township 34 North, Range 37 East. The Department's claim file map clearly shows the reservoir lies within the entire NWNW portion of Section 11, Township 34 North, Range 37 East. See Exhibit 22. Synonymous with Carroll's place of use objection, and to better reflect stock watering use on the entire reservoir, the claim file should be corrected to include an informational remark stating the reservoir extends into the preceding legal descriptions.

Claim 40N 168318-00

Carroll filed a self-objection to the period of diversion/period of use, place of use/maximum acres, and reservoir record. The objection is provided below:

Period of Use & Diversion were incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. POU is incorrect and should be corrected to W2NW Section 15, T34N R37E. Reservoir Record is incomplete and the informational remark should be corrected stating that the reservoir extends into W2NW Section 15 and E2NENE Section 16, T34N R37E.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1.

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Period of use

Claim 40N 168318-00 is a stock use right utilized by Carroll lying on Carroll property. Carroll's predecessor, Hinsdale Livestock Company, ran stock from 1949 to 2002 on the lands encompassed in Exhibit 2 between January to December, whenever conditions allowed and water was available. *See* Aff. Joseph Etchart, ¶ 5, March 30, 2022 (attached as Exhibit 3). To better reflect historical stock use on the Carroll property covered in Case 40N-0041-R-2021, the period of use in claim 40N 168318-00 should be corrected to: JANUARY 1 to DECEMBER 31.

Place of use

Carroll's self-objection requests the place of use should be corrected to the W2NW of Section 15, Township 34 North, Range 37 East. The statement of claim lists the place of use as in the NESENE of Section 16, Township 34 North, Range 37 East, while the current abstract depicts the place of use as in the SWNWNW of Section 15, Township 34 North, Range 37 East. The Department's claim map shows the reservoir extends into the W2NW of Section 15, Township 34 North, Range 37 East. *See* Exhibit 23. To better reflect stock watering use within the entire reservoir, the claim file should be corrected to reflect the preceding legal descriptions.

Reservoir record

Carroll's self-objection requests the reservoir record should be corrected to include an informational remark stating the reservoir extends into the W2NW of Section 15 and the E2NENE of Section 16, Township 34 North, Range 37 East. The current abstract depicts the reservoir as within the NESENE of Section 16, Township 34 North, Range 37 East. The Department's claim file map clearly shows the reservoir lies within the NESENE of Section 16, Township 34 North, Range 37 East; however, it also extends into the W2NW of Section 15 and the E2NENE of Section 16, Township 34 North, Range 37 East. *See* Exhibit 23. Synonymous with Carroll's place of use objection, and to better reflect stock watering use on the entire

reservoir, the claim file should be corrected to include an informational remark stating the reservoir extends into the preceding legal descriptions.

Claim 40N 168333-00

Carroll filed a self-objection to the period of diversion/period of use and reservoir record.

The objection is provided below:

Period of Use & Diversion were incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir Record was incorrectly claimed and should be corrected to W2SWNE Section 31, T35N R37E and by adding an informational remark stating that the reservoir extends into NESENW Section 31, T35N R37E.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1. As noted above, Carroll *withdraws* its period of use objection.

Reservoir record

Carroll's self-objection requests the reservoir record should be corrected to the W2SWNE of Section 31, Township 35 North, Range 37 East and by adding an informational remark stating the reservoir extends into the NESENW of Section 31, Township 35 North, Range 37 East. The current abstract depicts the reservoir as within the SWSWNE of Section 31, Township 35 North, Range 37 East. The current abstract lists the places of use as the W2SWNE and the NESENW of Section 31, Township 35 North, Range 37 East. The reservoir record should be corrected to reflect the proper places of use.

Further, the Department's claim file map clearly shows the reservoir lies entirely within the W2SWNE of Section 31, Township 35 North, Range 37 East, and also extends into the NESENW of Section 31, Township 35 North, Range 37 East. See Exhibit 24. Thus, the reservoir record should be corrected to show stock watering use on the entire reservoir and place of use.

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Claim 40N 168334-00

Carroll filed a self-objection to the period of diversion/period of use, point of diversion/means of diversion, and reservoir record. The objection is provided below:

Period of Use was incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir Record/POD were incorrectly claimed and should be corrected to NWNWNE Section 32, T35N R37E.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1. As noted above, Carroll *withdraws* its period of use objection.

Point of diversion

Carroll's self-objection states the point of diversion was incorrectly claimed and requests it should be corrected to the NWNWNE of Section 32, Township 35 North, Range 37 East. The current abstract lists the point of diversion in the SWNWNE of Section 32, Township 35 North, Range 37 East. It also includes a remark stating:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: E2NW OF SECTION 32, TOWNSHIP 35 NORTH, RANGE 37 EAST, VALLEY COUNTY, MONTANA.

Aerial imagery clearly depicts the reservoir as within the NWNWNE of Section 32, Township 35 North, Range 37 East. See Exhibit 25. To better reflect accurate diversion, the point of diversion should be corrected to the NWNWNE of Section 32, Township 35 North, Range 37 East.

Reservoir record

Carroll's self-objection states the reservoir record was incorrectly claimed and requests it should be corrected to the NWNWNE of Section 32, Township 35 North, Range 37 East. The current abstract lists the reservoir as within the SWNWNE of Section 32, Township 35 North, Range 37 East. Aerial imagery and the place of use depicted on the abstract—the W2NWNE of

Section 32, Township 35 North, Range 37 East—encapsulate the entire reservoir within the NWNWNE of Section 32, Township 35 North, Range 37 East. See Exhibit 25. The claim file should be corrected to reflect the legal land descriptions of the entire reservoir.

Claim 40N 168336-00

Carroll filed a self-objection to the period of diversion/period of use and reservoir record.

The objection is provided below:

Period of Use was incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir Record is incomplete and should be corrected by adding an informational remark stating that the reservoir extends into N2NE Section 35, T35N R37E.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1. As noted above, Carroll *withdraws* its period of use objection.

Reservoir record

Carroll's self-objection requests the reservoir record should be corrected by adding an informational remark stating that the reservoir extends into the SENWNE and the SWNENE of Section 35, Township 35 North, Range 37 East. The current abstract lists the reservoir as within the NESWNE of Section 25, Township 35 North, Range 37 East. Aerial imagery clearly depicts the reservoir within the NESWNE, the SENWNE, and the SWNENE of Section 35, Township 35 North, Range 37 East. See Exhibit 26. Thus, the reservoir record should be corrected to show stock watering use on the entire reservoir and place of use.

Claim 40N 168340-00

Carroll filed a self-objection to the period of diversion/period of use, place of use/maximum acres, and reservoir record. The objection is provided below:

Period of Use was incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir Record is incomplete and should be corrected to NE Section 33, T35N R37E. POU was incorrectly claimed and should be corrected by adding S2NENE Section 33, T35N R37E.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1. As noted above, Carroll *withdraws* its period of use objection.

Place of use

Carroll's self-objection states the place of use was incorrectly claimed and requests it should be corrected by adding the S2NENE of Section 33, Township 35 North, Range 37 East. The current abstract lists the places of use as in the W2SENE and the E2SWNE of Section 33, Township 35 North, Range 37 East. Aerial imagery depicts the reservoir also extends into the S2NENE of Section 33, Township 35 North, Range 37 East. *See Exhibit 27.* The place of use should accurately reflect the entire reservoir on Carroll's property that is used for stock watering purposes.

Reservoir record

Carroll's self-objection requests the reservoir record should be corrected to the NE of Section 33, Township 35 North, Range 37 East. The current abstract lists the reservoir as within the SWSENE of Section 33, Township 35 North, Range 37 East. The reservoir lies entirely on Carroll property located in the W2SENE, the E2SWNE, and the S2NENE of Section 33, Township 35 North, Range 37 East. *See Exhibit 27.* To better reflect stock water use on the entire reservoir, the reservoir record should be corrected to the W2SENE and by adding an informational remark stating the reservoir extends into the E2SWNE and the S2NENE of Section 33, Township 35 North, Range 37 East.

Claim 40N 168342-00

Carroll filed a self-objection to the period of diversion/period of use, place of use/maximum acres, and reservoir record. The objection is provided below:

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Period of Use was incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir Record/POU are incomplete and should be corrected to SE Section 3, T35N R38E.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1. As noted above, Carroll *withdraws* its period of use objection.

Place of use

Carroll's self-objection requests the place of use should be corrected to the SE of Section 3, Township 35 North, Range 38 East. The current abstract lists the place of use as in the SENWSE of Section 3, Township 35 North, Range 38 East. Aerial imagery depicts the reservoir is located on the entire SE quarter section of Section 3, Township 35 North, Range 38 East. See Exhibit 28. To better reflect stock watering use on the entire reservoir, the claim file should be corrected to show the accurate place of use.

Reservoir record

Carroll's self-objection requests the reservoir record should be corrected to the SE of Section 3, Township 35 North, Range 38 East. The current abstract lists the reservoir within the SENWSE of Section 3, Township 35 North, Range 38 East. While aerial imagery does depict the reservoir as within the SENWSE of Section 3, the map also shows the reservoir is located on the entire SE of Section 3, Township 35 North, Range 38 East. See Exhibit 28. Thus, the reservoir record should be corrected to show stock watering use within the entire reservoir and place of use.

Claim 40N 168345-00

Carroll filed a self-objection to the period of diversion/period of use and reservoir record. The objection is provided below:

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Period of Use & Diversion were incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir Record was incorrectly claimed and should be corrected to E2E2SE Section 11, T35N R38E.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1. As noted above, Carroll *withdraws* its period of use objection.

Reservoir record

Carroll's self-objection states the reservoir record was incorrectly claimed and requests the reservoir record should be corrected to E2E2SE of Section 11, Township 35 North, Range 38 East. The current abstract lists the reservoir within the NESESE of Section 11, Township 35 North, Range 38 East. Aerial imagery depicts the reservoir as within the NESESE and the SENESE of Section 11, Township 35 North, Range 38 East. See Exhibit 29. Synonymous with the places of use, the reservoir record should be corrected by adding an informational remark stating the reservoir extends into the SENESE of Section 11, Township 35 North, Range 38 East, to show stock watering use on the entire reservoir.

40N 168349-00

Carroll filed a self-objection to the period of diversion/period of use and reservoir record.

The objection is provided below:

Reservoir Record is incorrect and should be corrected by adding an informational remark stating that the reservoir extends into NENENE of Section 22, T35N, R38E. Period of Use & Diversion were incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1. As noted above, Carroll *withdraws* its period of use objection.

Reservoir record

Carroll's self-objection requests the reservoir record should be corrected to include an informational remark stating the reservoir extends into the NENENE of Section 22, Township 35

North, Range 38 East. The current abstract lists the reservoir within the NWNWNW of Section 23, Township 35 North, Range 38 East. Aerial imagery depicts the reservoir as not only within the NWNWNW of Section 23, but also within the NENENE of Section 22, Township 35 North, Range 38 East. *See Exhibit 30.* Thus, the reservoir record should be corrected to show stock watering use on the entire reservoir and place of use.

40N 168350-00

Carroll filed a self-objection to the period of diversion/period of use and reservoir record.

The objection is provided below:

Period of Use & Diversion were incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir Record is incomplete and should be corrected by adding an informational remark stating that the reservoir extends into W2SESW Section 4, T35N R38E.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1. As noted above, Carroll *withdraws* its period of use objection.

Reservoir record

Carroll's self-objection requests the reservoir record should be corrected to include an informational remark stating the reservoir extends into the W2SESW of Section 4, Township 35 North, Range 38 East. The current abstract lists the reservoir within the NWNENW of Section 9, Township 35 North, Range 38 East. Aerial imagery depicts the reservoir as not only within the NWNENW of Section 9, but also within the W2SESW of Section 4, Township 35 North, Range 38 East. *See Exhibit 31.* Thus, the reservoir record should be corrected to show stock watering use on the entire reservoir and place of use.

40N 168351-00

Carroll filed a self-objection to the period of diversion/period of use and reservoir record.

The objection is provided below:

Period of Use & Diversion were incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir Record was incorrectly claimed and should be corrected to E2S[W]NE Section 4, T35N R38E.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1. As noted above, Carroll *withdraws* its period of use objection.

Reservoir record

Carroll's self-objection requests the reservoir record should be corrected to the E2SWNE of Section 4, Township 35 North, Range 38 East. The current abstract lists the reservoir within the SESEWNE of Section 4, Township 35 North, Range 38 East. The place of use on the current abstract lists the E2SWNE of Section 4, Township 35 North, Range 28 East. Synonymous with aerial imagery and the claimed place of use, the reservoir record should be corrected to reflect stock watering use on the entire reservoir in the E2SWNE of Section 4, Township 35 North, Range 38 East. *See Exhibit 32.*

40N 168353-00

Carroll filed a self-objection to the period of diversion/period of use and reservoir record.

The objection is provided below:

Period of Use & Diversion were incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir Record was incorrectly claimed and should be corrected to N2SWNW Section 21, T35N R38E and by adding an informational remark stating that the reservoir extends into S2NWNW Section 21, T35N R38E.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1. As noted above, Carroll *withdraws* its period of use objection.

Reservoir record

Carroll's self-objection states the record was incorrectly claimed and requests the reservoir record should be corrected to the N2SWNW of Section 21, Township 35 North, Range 38 East and by adding an informational remark stating that the reservoir extends into the

S2NWNW of Section 21, Township 35 North, Range 38 East. The current abstract lists the reservoir within the NWSNW of Section 21, Township 35 North, Range 38 East. The place of use on the current abstract lists the N2SWNW and the S2NWNW of Section 21, Township 35 North, Range 38 East. Aerial imagery depicts the reservoir as within the N2SWNW of Section 21, Township 35 North, Range 38 East, and that it extends into the S2NWNW of Section 21, Township 35 North, Range 38 East. See Exhibit 33. Thus, the reservoir record should be corrected to show stock watering use on the entire reservoir and place of use:

40N 168354-00

Carroll filed a self-objection to the period of diversion/period of use, place of use/maximum acres, and reservoir record. The objection is provided below:

Period of Use & Diversion were incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir Record is incorrect and should be corrected to E2NENW Section 30, T35N R38E and by adding an informational remark stating that the reservoir extends into W2NWNE Section 30, T35N R38E. POU was incorrectly claimed and should be corrected by adding W2NWNE Section 30, T35N R38E.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1. As noted above, Carroll *withdraws* its period of use objection.

Place of use

Carroll's self-objection states the place of use was incorrectly claimed and requests it should be corrected by adding the W2NWNE of Section 30, Township 35 North, Range 38 East. The current abstract lists the place of use as in the E2NENW of Section 30, Township 35 North, Range 38 East. Aerial imagery depicts the reservoir as within the E2NENW and the W2NWNE of Section 30, Township 35 North, Range 38 East. See Exhibit 34. To better reflect stock watering use on the entire reservoir, the claim file should be corrected to include the preceding legal land descriptions.

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Reservoir record

Carroll's self-objection states the record was incorrectly claimed and requests the reservoir record should be corrected to the E2NENW of Section 30, Township 35 North, Range 38 East, and by adding an informational remark stating that the reservoir extends into the W2NWNE of Section 30, Township 35 North, Range 38 East. The current abstract lists the reservoir within the SENESW of Section 30, Township 35 North, Range 38 East. Aerial imagery depicts the reservoir as within the E2NENW of Section 30, Township 35 North, Range 38 East, and that it extends into the southern half of the W2NWNE of Section 30, Township 35 North, Range 38 East. *See Exhibit 34.* Thus, the reservoir record should be corrected to show stock watering use on the entire reservoir and place of use.

40N 168361-00

Carroll filed a self-objection to the period of diversion/period of use, place of use/maximum acres, and reservoir record. The objection is provided below:

Period of Use & Diversion were incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir Record is incomplete and should be corrected by adding an informational remark stating that the reservoir extends into SWSE Section 10 and N2NWNE Section 15, T35N R39E. POU was incorrectly claimed and could be corrected to SESESW, SWSE of Section 10 and N2NWNE Section 15, T35N R39E.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1.

Period of use

Claim 40N 168361-00 is a stock use right utilized by Carroll lying on Carroll property. Carroll's predecessor, Hinsdale Livestock Company, ran stock from 1949 to 2002 on the lands encompassed in Exhibit 2 between January to December, whenever conditions allowed and water was available. *See Aff. Joseph Etchart, ¶ 5, March 30, 2022 (attached as Exhibit 3).* To

better reflect historical stock use on the Carroll property covered in Case 40N-0041-R-2021, the period of use in claim 40N 168361-00 should be corrected to: JANUARY 1 to DECEMBER 31.

Place of use

Carroll's self-objection states the place of use was incorrectly claimed and requests it should be corrected to the SESESW and the SWSE of Section 10 and the N2NWNE of Section 15, Township 35 North, Range 39 East. The current abstract lists the place of use as in the W2NWNE and SESESW of Section 10, Township 35 North, Range 39 East. Aerial imagery depicts the reservoir as within the entire SWSE of Section 10, the SESESW of Section 10, and extending into the N2NWNE of Section 15, Township 35 North, Range 39 East. See Exhibit 35. To better reflect stock watering use on the entire reservoir, the place of use should be corrected to include the preceding land descriptions.

Reservoir record

Carroll's self-objection requests the reservoir record should be corrected by adding an informational remark stating that the reservoir extends into the SWSE of Section 10 and the N2NWNE of Section 15, Township 35 North, Range 39 East. The current abstract lists the reservoir within the SESESW of Section 10, Township 35 North, Range 39 East. The current abstract is incomplete and contains a small portion of the entire reservoir. Aerial imagery shows the reservoir lies within the entire SWSE of Section 10 and extends into the N2NWNE of Section 15, Township 35 North, Range 39 East. See Exhibit 35. Synonymous with Carroll's place of use objection, and to better reflect stock watering use on the entire reservoir, the claim file should be corrected to include an informational remark stating the reservoir extends into the preceding legal descriptions.

40N 168364-00

Carroll filed a self-objection to the period of diversion/period of use, place of

use/maximum acres, and reservoir record. The objection is provided below:

Period of Use & Diversion were incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use. Reservoir Record is incomplete and should be corrected by adding Gov't Lot 1 to the legal land descriptions and by adding an informational remark stating that the reservoir extends into SW (Gov't Lot 12) Section 7, T35N R39E. POU was incorrectly claimed and should be corrected to SW (Gov't Lot 12) Section 7, T35N, R39E.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1.

Period of use

Claim 40N 168364-00 is a stock use right utilized by Carroll lying on Carroll property. Carroll's predecessor, Hinsdale Livestock Company, ran stock from 1949 to 2002 on the lands encompassed in Exhibit 2 between January to December, whenever conditions allowed and water was available. *See* Aff. Joseph Etchart, ¶ 5, March 30, 2022 (attached as Exhibit 3). To better reflect historical stock use on the Carroll property covered in Case 40N-0041-R-2021, the period of use in claim 40N 168364-00 should be corrected to: JANUARY 1 to DECEMBER 31.

Place of use

Carroll's self-objection states the place of use was incorrectly claimed and requests it should be corrected to the SW of Section 7, Township 35 North, Range 39 East, also designated as Government Lot 12. The current abstract lists the place of use as in the NW of Section 18—Government Lot 1—and the NW of Section 7, Township 35 North, Range 39 East—Government Lot 12. Aerial imagery depicts the reservoir lies within the SW of Government Lot 12, not the NW as described on the abstract. *See* Exhibit 36. To better reflect stock watering use on the entire reservoir, the place of use should be corrected to the SW of Section 7, Township 35 North, Range 39 East (Gov't Lot 12).

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Reservoir record

Carroll's self-objection requests the reservoir record should be corrected by adding Government Lot 1 to the legal land descriptions and by adding an informational remark stating the reservoir extends into the SW of Section 7, Township 35 North, Range 39 East, also designated as Government Lot 12. The current abstract lists the reservoir within the NW of Section 18, Township 35 North, Range 39 East, also known as Government Lot 1. The current abstract is incomplete and only depicts the southern portion of the reservoir. Aerial imagery shows the reservoir extends into the SW of Section 7, Township 35 North, Range 39 East. *See Exhibit 36.* Synonymous with Carroll's place of use objection, and to better reflect stock watering use on the entire reservoir, the claim file should be corrected to include an informational remark stating the reservoir extends into the preceding legal descriptions.

40N 168366-00

Carroll filed a self-objection to the period of diversion/period of use, place of use/maximum acres, and reservoir record. The objection is provided below:

Reservoir Record is incomplete and should be corrected by adding an informational remark stating that the reservoir extends into SENWSE Section 34, T36N R38E. POU was incorrectly claimed and should be corrected to SWNWSE Section 34, T36N R38E. Period of Use & Diversion were incorrectly claimed as April 1 to November 30 and should be corrected to Year-Round to accurately reflect historic use.

A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1. As noted above, Carroll *withdraws* its period of use objection.

Place of use

Carroll's self-objection states the place of use was incorrectly claimed and requests it should be corrected to the SWNWSE of Section 34, Township 36 North, Range 38 East. The current abstract lists the place of use as in the SENESW and SWNWNE of Section 34, Township 36 North, Range 38 East. Aerial imagery depicts the reservoir lies within the SENESW and the

SWNWSE of Section 34, Township 36 North, Range 38 East. *See Exhibit 37.* To better reflect stock watering use on the entire reservoir, the place of use listed in the SWNWNE should be corrected to the SWNWSE of Section 34, Township 36 North, Range 38 East.

Reservoir record

Carroll's self-objection requests the reservoir record should be corrected by adding an informational remark stating the reservoir extends into the SENWSE of Section 34, Township 36 North, Range 38 East. The current abstract lists the reservoir within the SENESW of Section 34, Township 36 North, Range 38 East. The current abstract is incomplete and only depicts a portion of the reservoir. Aerial imagery shows the reservoir lies within the SENESW and the SWNWNE of Section 34, Township 36 North, Range 38 East. *See Exhibit 37.* Synonymous with Carroll's place of use objection, and to better reflect stock watering use on the entire reservoir, the claim file should be corrected to include an informational remark stating the reservoir extends into the preceding legal descriptions.

40N 188675-00

Carroll filed a self-objection to the reservoir record. The objection is provided below:

Reservoir is listed as being located in SWNWNW Section 35, however the actual reservoir location includes all of NWNW Section 35. Changes should be made to correct reservoir record legal land description to NWNW Section 35, T36N, R37E.

A map of this claim is attached as **Exhibit 2** and a proposed revised abstract is included in **Exhibit 1**.

Reservoir record

Carroll's self-objection requests the reservoir record should be corrected to include all of the NWNW of Section 35, Township 36 North, Range 37 East. The current abstract lists the reservoir within the SWNENE of Section 35, Township 36 North, Range 38 East. The current abstract is incomplete and only depicts a portion of the reservoir. Aerial imagery, and the

claimed place of use, depicts the reservoir lies entirely within the NWNW of Section 35, Township 36 North, Range 38 East. See Exhibit 38. To better reflect stock watering use on the entire reservoir, the reservoir record should be corrected to reflect the preceding legal land descriptions.

40N 210853-00

Carroll filed a self-objection to the period of diversion/period of use and point of diversion/means of diversion. The objection is provided below:

Period of Use & Period of Diversion were incorrectly claimed as March 15 to July 15 and should be corrected to Year-Round to accurately reflect historic use & DNRC standards for water spreading claims. POD was incorrectly claimed and should be corrected to reflect historic use.


A map of this claim is attached as Exhibit 2 and a proposed revised abstract is included in Exhibit 1. Carroll *withdraws* its objection to point of diversion.

Period of use/period of diversion

Claim 40N 210853-00 is a stock use right utilized by Carroll lying on Carroll property. Carroll's predecessor, Hinsdale Livestock Company, ran stock from 1949 to 2002 on the lands encompassed in Exhibit 2 between January to December, whenever conditions allowed and water was available. See Aff. Joseph Etchart, ¶ 5, March 30, 2022 (attached as Exhibit 3). To better reflect historical stock use on the Carroll property covered in Case 40N-0041-R-2021, the period of use in claim 40N 210853-00 should be corrected to: JANUARY 1 to DECEMBER 31.

DATED this 2nd day of May, 2022.

BROWNING, KALECZYK, BERRY & HOVEN, P.C.

By 
W. John Tietz
Hallee C. Frandsen

Attorneys for Carroll MT Properties LLC

PROPOSED REVISED ABSTRACT

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 5TH AVENUE P.O. BOX 201801 HELENA, MONTANA 59620-1801

GENERAL ABSTRACT

Water Right Number: 40N 168283-00 STATEMENT OF CLAIM

Version: 3 - REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28807-1549

Priority Date: JANUARY 1, 1973

Enforceable Priority Date: JANUARY 1, 1973

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 Volumes: 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 TREE CREEK~~ UNNAMED TRIBUTARY OF LONE TREE 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		SWNE	31	38N	39E	VALLEY

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>
S2NE	SWNE	31	38N	39E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: ~~APRIL 1 to NOVEMBER 30~~ 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	31	38N	39E	VALLEY	

Geocodes/Valid: 20-4893-31-2-01-01-0000 - Y

Remarks:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: LOTS 1, 2, 3, 4, 5, 6, 7, 12 OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 39 EAST, VALLEY COUNTY, MONTANA.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 5205 RECEIVED 10/08/2012.

OWNERSHIP UPDATE TYPE DOR # 198338 RECEIVED 12/13/2012.

PROPOSED REVISED ABSTRACT

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 8TH AVENUE P.O. BOX 201801 HELENA, MONTANA 59620-1801

GENERAL ABSTRACT

Water Right Number: 40N 168286-00 STATEMENT OF CLAIM

Version: 3 -- REEXAMINED

Version Status: ACTIVE

Owner(s): CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: APRIL 8, 1963

Enforceable Priority Date: APRIL 8, 1963

Type of Historical Right: FILED

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 SERVED 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>Dir Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	SE	32	36N	39E VALLEY

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>Dir Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NE	SE	32	36N	39E VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: ~~APRIL 1 to NOVEMBER 30~~ JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Dir Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NE	SE	32	36N	39E VALLEY
2			SE	NE	32	36N	39E VALLEY
3			SW	NW	32	36N	39E VALLEY

Geocodes/Valid: 20-4787-05-1-01-01-0000 - Y

Remarks:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: LOTS 1, 2, 3, 4, S2N2, S2 OF SECTION 5, TOWNSHIP 35 NORTH, RANGE 39 EAST, VALLEY COUNTY, MONTANA.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 808 #5205 RECEIVED 10/08/2002.

OWNERSHIP UPDATE TYPE DOR # 198294 RECEIVED 12/13/2012.

THE RESERVOIR EXTENDS INTO THE SENESE OF SECTION 32 AND THE SWNWSW OF SECTION 33. TOWNSHIP 36 NORTH, RANGE 39 EAST

PROPOSED REVISED ABSTRACT

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 8TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 40N 168291-00 STATEMENT OF CLAIM

Version: 3 - REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: APRIL 1, 1960

Enforceable Priority Date: APRIL 1, 1960

Type of Historical Right: USE

Purpose (use): STOCK

Maximum 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.

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: BIG COULEE

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESWNE	12	34N	38E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ON STREAM

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	NESWNE	12	34N	38E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 8.00 FEET

Depth: 5.00 FEET

Surface Area: 8.80 ACRES

Current Capacity: 17.60 ACRE-Feet

THE CAPACITY, DAM HEIGHT, DEPTH, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

Period of Use: ~~APRIL 1 to NOVEMBER 30~~ JANUARY 1 TO DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			NESWNE	12	34N	38E	VALLEY
2			SENWNE	12	34N	38E	VALLEY
			E2NWNE				

Geocodes/Valid: 20-4678-12-1-01-01-0000 - Y

Remarks:

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 808 # 10122 RECEIVED 08/16/2003.

OWNERSHIP UPDATE TYPE DOR # 133698 RECEIVED 01/10/2014.

RESERVOIR RECORD WAS 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.

RESERVOIR EXTENDS INTO THE E2NWNE OF SECTION 12, TOWNSHIP 34 NORTH, RANGE 38 EAST

PROPOSED REVISED ABSTRACT

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201801 HELENA, MONTANA 59620-1801
GENERAL ABSTRACT

Water Right Number: 40N 168292-00 STATEMENT OF CLAIM
Version: 3 - REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1649
BOONE, NC 28807-1649

Priority Date: APRIL 1, 1949

Enforceable Priority Date: APRIL 1, 1949

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: COLLINS CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSE	22	34N	36E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ON STREAM Reservoir Name: DESERT RES

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
NWSE	NWSE	22	34N	36E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 13.00 FEET

Depth: 10.00 FEET

Surface Area: 20.00 ACRES

Current Capacity: 80.00 ACRE-Feet

THE DAM HEIGHT, DEPTH, SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNRC.

Period of Use: ~~APRIL 1 to NOVEMBER 30~~ JANUARY 1 TO DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			NWSE	22	34N	36E	VALLEY
2			S2SWNE	22	34N	36E	VALLEY

Geocode/Valid: 20-4678-22-1-01-01-0000 - Y

Remarks:

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 10122 RECEIVED 08/15/2003.

OWNERSHIP UPDATE TYPE DOR # 133698 RECEIVED 01/10/2014.

RESERVOIR RECORD WAS 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.

RESERVOIR EXTENDS INTO THE S2SWNE OF SECTION 22, TOWNSHIP 34 NORTH RANGE 36 EAST.

PROPOSED REVISED ABSTRACT

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: 40N 168294-00 STATEMENT OF CLAIM
Version: 3 -- REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: APRIL 1, 1949

Enforceable Priority Date: APRIL 1, 1949

Type of Historical Right: USE

Purpose (use): STOCK

Maximum 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.

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 BURNETT 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		NESWSW	25	34N	36E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
N2SWSW	NESWSW	25	34N	36E	VALLEY

Diversion to Reservoir: DIVERSION #1

Period of Use: ~~APRIL 4 to NOVEMBER 30~~ 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			NESWSW N2SWSW	25	34N	36E	VALLEY

Geocodes/Valid: 20-4678-25-1-01-01-0000 - Y

Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 10122 RECEIVED 08/15/2003.

OWNERSHIP UPDATE TYPE DOR # 133898 RECEIVED 01/10/2014.

PROPOSED REVISED ABSTRACT

STATE OF MONTANA

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 8TH AVENUE P.O. BOX 201801 HELENA, MONTANA 59620-1801

GENERAL ABSTRACT

Water Right Number: 40N 168295-00 STATEMENT OF CLAIM

Version: 3 - REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1849
BOONE, NC 28607-1549

Priority Date: APRIL 1, 1955

Enforceable Priority Date: APRIL 1, 1955

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 COLLINS CREEK, EAST FORK EAST FORK OF COLLINS CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSESE	28	34N	38E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ON STREAM

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
SE - NWSESE		28	34N	38E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 8.00 FEET

Depth: 5.00 FEET

Surface Area: 16.00 ACRES

Current Capacity: 32.00 ACRE-Feet

THE CAPACITY, DAM HEIGHT, DEPTH, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

Period of Use: ~~APRIL 1 to NOVEMBER 30~~ JANUARY 1 TO DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			SE	28	34N	38E	VALLEY

Geocodes/Valids: 20-4678-26-4-01-01-0000 - Y

Remarks:

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 808 # 10122 RECEIVED 08/15/2003.

OWNERSHIP UPDATE TYPE DOR # 115749 RECEIVED 12/13/2012.

RESERVOIR RECORD WAS 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.

PROPOSED REVISED ABSTRACT

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201807 HELENA, MONTANA 59620-1807

GENERAL ABSTRACT

Water Right Number: 40N 188298-00 STATEMENT OF CLAIM

Version: 3 - REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: APRIL 1, 1949

Enforceable Priority Date: APRIL 1, 1949

Type of Historical Right: USE

Purpose (use): STOCK

Maximum 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.

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 COLLINS 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>Rng</u>	<u>County</u>
1		SWSWNE	34	34N	36E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rng</u>	<u>County</u>
W2SWNE SWSWNE		34	34N	36E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: ~~APRIL 4 to NOVEMBER 30~~ 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>Rng</u>	<u>County</u>
1		W2SWNE SWSWNE		34	34N	36E	VALLEY
2		E2SENE		34	34N	36E	VALLEY

Geocodes/Valid: 20-4878-34-1-01-01-0000 - Y

Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 808 # 10122 RECEIVED 08/15/2003.

OWNERSHIP UPDATE TYPE DOR # 115749 RECEIVED 12/13/2012.

RESERVOIR EXTENDS INTO THE E2SENE OF SECTION 34, TOWNSHIP 34 NORTH, RANGE 36 EAST, VALLEY COUNTY, MONTANA

PROPOSED REVISED ABSTRACT

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: 40N 188297-00. STATEMENT OF CLAIM
Version: 3 - REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: APRIL 1, 1953

Enforceable Priority Date: APRIL 1, 1953

Type of Historical Right: USE

Purpose (use): STOCK

Maximum 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.

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: COLLINS CREEK, EAST FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr	Sec	Twp	Rge	County
1		SW	SE	14	34N	36E VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ON STREAM Reservoir Name: CORRAL RESERVOIR WEST

Govt Lot	Qtr	Sec	Twp	Rge	County
SE SW	SE	14	34N	36E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 11.00 FEET

Depth: 8.00 FEET

Surface Area: 30.00 ACRES

Current Capacity: 96.00 ACRE-FEET

THE CAPACITY, DAM HEIGHT, DEPTH, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

Period of Use: ~~APRIL 1 to NOVEMBER 30~~ JANUARY 1 TO DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr	Sec	Twp	Rge	County
1		SL	W2	SE	14	34N	36E VALLEY
2			SE	NE	14	34N	36E VALLEY

Geocode/Valid: 20-4678-14-4-04-01-0000 - Y

Remarks:

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 10122 RECEIVED 08/15/2003.

OWNERSHIP UPDATE TYPE DCR # 133698 RECEIVED 01/10/2014.

SOURCE NAME 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.

RESERVOIR EXTENDS INTO THE SENE OF SECTION 14 TOWNSHIP 34 NORTH, RANGE 36 EAST VALLEY COUNTY, MONTANA.

PROPOSED REVISED ABSTRACT

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O. BOX 201801 HELENA, MONTANA 59620-1801

GENERAL ABSTRACT

Water Right Number: 40N 188288-00 STATEMENT OF CLAIM

Version: 3 -- REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: APRIL 1, 1949

Enforceable Priority Date: APRIL 1, 1949

Type of Historical Right: USE

Purpose (use): STOCK

Maximum 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.

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 EAST FORK COLLINS 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		NENWNE	14	34N	36E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	N2N2NE	14	34N	36E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: ~~APRIL 1 to NOVEMBER 30~~ 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			NENWNE N2N2NE	14	34N	36E	VALLEY

Geocodes/Valid: 20-4678-14-1-01-01-0000 - Y

Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 808 # 10122 RECEIVED 08/18/2003.

OWNERSHIP UPDATE TYPE DOR # 133898 RECEIVED 01/10/2014.

RESERVOIR RECORD WAS 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.

PROPOSED REVISED ABSTRACT

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201801 HELENA, MONTANA 59620-1801

GENERAL ABSTRACT

Water Right Number: 40N 168301-00 STATEMENT OF CLAIM
Version: 3 -- REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: NOVEMBER 8, 1968

Enforceable Priority Date: NOVEMBER 8, 1968

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 CHISHOLM 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		SWSWNW	10	34N	37E	VALLEY

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>
W2SWNW	W2SWNW	10	34N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 to NOVEMBER 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		SWSWNW	10	34N	37E	VALLEY	
		W2SWNW					

Geocodes/Valid: 20-4679-15-2-01-01-0000 - Y

Remarks:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO
THE FOLLOWING PRIVATE LANDS: W2 OF SECTION 15, TOWNSHIP 34 NORTH, RANGE 37 EAST, VALLEY
COUNTY, MONTANA.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 10122 RECEIVED 08/15/2003.

OWNERSHIP UPDATE TYPE DOR # 198294 RECEIVED 12/13/2012.

PROPOSED REVISED ABSTRACT
STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201801 HELENA, MONTANA 59620-1801

GENERAL ABSTRACT

Water Right Number: 40N 188303-00 STATEMENT OF CLAIM

Version: 3 - REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: FEBRUARY 13, 1962

Enforceable Priority Date: FEBRUARY 13, 1962

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 CHISHOLM 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		SEENW	14	34N	37E	VALLEY

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>
SEENW		14	34N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 to NOVEMBER 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			W2NWNE	14	34N	37E	VALLEY
2			SEENW	14	34N	37E	VALLEY

Geocode/Valid: 20-4679-15-2-01-01-0000 - Y

Remarks:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: W2 OF SECTION 15, TOWNSHIP 34 NORTH, RANGE 37 EAST, VALLEY COUNTY, MONTANA.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 10122 RECEIVED 08/15/2003.

OWNERSHIP UPDATE TYPE DOR # 188284 RECEIVED 12/13/2012.

RESERVOIR EXTENDS INTO THE W2NWNE OF SECTION 14 TOWNSHIP 34 NORTH, RANGE 37 EAST VALLEY COUNTY, MONTANA.

PROPOSED REVISED ABSTRACT

STATE OF MONTANA

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 5TH AVENUE P.O. BOX 201801 HELENA, MONTANA 59620-1801

GENERAL ABSTRACT

Water Right Number: 40N 168304-00 STATEMENT OF CLAIM

Version: 3 -- REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: NOVEMBER 8, 1968

Enforceable Priority Date: NOVEMBER 8, 1968

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 CHISHOLM CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESENE	15	34N	37E	VALLEY

Period of Diversion: APRIL 1 TO NOVEMBER 30

Diversion Means: DAM

Reservoir: ON STREAM Reservoir Name: ABACK RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
SESENE	SESENE	15	34N	37E	VALLEY

Diversion to Reservoir: DIVERSION #1

Dam Height: 8.00 FEET

Depth: 5.00 FEET

Surface Area: 4.50 ACRES

Current Capacity: 9.00 ACRE-FEET

THE CAPACITY, DAM HEIGHT, DEPTH, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRG.

Period of Use: APRIL 1 to NOVEMBER 30

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			SESENE	15	34N	37E	VALLEY
			ESSENE				

Geocodes/Valid: 20-4678-15-2-01-01-0000 - Y

Remarks:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: W2 OF SECTION 15, TOWNSHIP 34 NORTH, RANGE 37 EAST, VALLEY COUNTY, MONTANA.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 10122 RECEIVED 08/15/2003.

OWNERSHIP UPDATE TYPE DGR # 108294 RECEIVED 12/13/2012.

THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.

Remarks:

~~RESERVOIR RECORD WAS 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.~~

PROPOSED REVISED ABSTRACT
STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 8TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601
GENERAL ABSTRACT

Water Right Number: 40N 168307-00 STATEMENT OF CLAIM
Version: 3 -- REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: APRIL 1, 1960

Enforceable Priority Date: APRIL 1, 1960

Type of Historical Right: USE

Purpose (use): STOCK

Maximum 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.

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 BADLAND COULEE~~ BADLAND COULEE

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr	Sec	Sec	Twp	Rge	County
1		NE	SE	SE	20	34N	37E VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ON STREAM

Govt Lot	Qtr	Sec	Sec	Twp	Rge	County
	NE	SE	SE	20	34N	37E VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: ~~APRIL 1 to NOVEMBER 30~~ JANUARY 1 TO DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr	Sec	Sec	Twp	Rge	County
1			NE	SE	SE	20	34N	37E VALLEY

Geocodes/Valid: 20-4678-20-1-01-01-0000 - Y

Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 10122 RECEIVED 08/15/2003.

OWNERSHIP UPDATE TYPE DOR # 133698 RECEIVED 01/10/2014.

PROPOSED REVISED ABSTRACT

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 6TH AVENUE P.O. BOX 201801 HELENA, MONTANA 59620-1801

GENERAL ABSTRACT

Water Right Number: 40N 168308-00 STATEMENT OF CLAIM
Version: 3 - REEXAMINED

Version Status: ACTIVE

Owners: GARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: AUGUST 11, 1971

Enforceable Priority Date: AUGUST 11, 1971

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 CHISHOLM 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		SENENE	24	34N	37E	VALLEY

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 Reservoir Name HAIL DAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
E2NENE	SENENE	24	34N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 8.00 FEET

Depth: 5.00 FEET

Surface Area: 3.20 ACRES

Current Capacity: 8.40 ACRE-FEET

Period of Use: APRIL 1 to NOVEMBER 30

Place of Use

<u>ID</u>	<u>Acre</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2NENE		24	34N	37E	VALLEY

Geocodes/Valid: 20-4578-15-2-01-01-0000 - Y

Remarks:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO
THE FOLLOWING PRIVATE LANDS: W2 OF SECTION 15, TOWNSHIP 34 NORTH, RANGE 37 EAST, VALLEY
COUNTY, MONTANA.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 10122 RECEIVED 08/15/2003.

OWNERSHIP UPDATE TYPE DOR # 198294 RECEIVED 12/13/2012.

PROPOSED REVISED ABSTRACT

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 8TH AVENUE P.O. BOX 201801 HELENA, MONTANA 59620-1801
GENERAL ABSTRACT

Water Right Number: 40N 188309-00 STATEMENT OF CLAIM

Version: 3 - REEXAMINED

Version Status: ACTIVE

Owner: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: NOVEMBER 7, 1989

Enforceable Priority Date: NOVEMBER 7, 1989

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 BITTER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr	Sec	Twp	Rge	County
1		S2SWNE	26	34N	37E	VALLEY

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

Govt Lot	Qtr	Sec	Twp	Rge	County
S2NE S2SWNE		26	34N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 to NOVEMBER 30

Place of Use:

ID	Acre	Govt Lot	Qtr	Sec	Twp	Rge	County
1		S2SWNE		26	34N	37E	VALLEY
		S2NE					

Geocode/Valid: 20-4579-15-2-01-01-0000 - Y

Remarks:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: W2 OF SECTION 15, TOWNSHIP 34 NORTH, RANGE 37 EAST, VALLEY COUNTY, MONTANA.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 808 # 10122 RECEIVED 08/15/2003.

OWNERSHIP UPDATE TYPE DOR # 198294 RECEIVED 12/13/2012.

RESERVOIR RECORD WAS 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.

PROPOSED REVISED ABSTRACT

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201801 HELENA, MONTANA, 59620-1801

GENERAL ABSTRACT

Water Right Number: 40N 168310-00 STATEMENT OF CLAIM

Version: 3 -- REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: APRIL 1, 1985

Enforceable Priority Date: APRIL 1, 1985

Type of Historical Right: USE

Purpose (use): STOCK

Maximum 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.

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 WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESESE	29	34N	37E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
E2E2SE	NESESE	29	34N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: ~~APRIL 1 to NOVEMBER 30~~ 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			NESESE	29	34N	37E	VALLEY
			E2E2SE				

Geocodes/Valid: 20-4679-29-1-04-01-0000 - Y

Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 10122 RECEIVED 08/15/2003.

OWNERSHIP UPDATE TYPE DOR # 133898 RECEIVED 01/10/2014.

PROPOSED ~~REVISED~~ ABSTRACT

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201801 HELENA, MONTANA 59620-1801

GENERAL ABSTRACT

Water Right Number: 40N 168312-00 STATEMENT OF CLAIM
Version: 3 - REEXAMINED

Version Status: ACTIVE

Owner: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: AUGUST 11, 1971

Enforceable Priority Date: AUGUST 11, 1971

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 CHISHOLM CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr	Sec	Twp	Rge	County
1		NESWSW	11	34N	37E	VALLEY

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

Govt Lot	Qtr	Sec	Twp	Rge	County	
		NESWSW	11	34N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 to NOVEMBER 30

Place of Use:

ID	Acres	Govt Lot	Qtr	Sec	Twp	Rge	County	
1				NESWSW	11	34N	37E	VALLEY
2		W2NWSW		SENWSW	11	34N	37E	VALLEY
3				SWNESW	11	34N	37E	VALLEY

Geocodes/Valid: 20-4678-15-2-01-01-0000 - Y

Remarks:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: W2 OF SECTION 15, TOWNSHIP 34 NORTH, RANGE 37 EAST, VALLEY COUNTY, MONTANA.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 808 # 10122 RECEIVED 08/16/2003.

OWNERSHIP UPDATE TYPE DOR # 188294 RECEIVED 12/13/2012.

RESERVOIR EXTENDS INTO THE W2NWSW AND THE SWNESW OF SECTION 11, TOWNSHIP 34 NORTH, RANGE 37 EAST, VALLEY COUNTY, MONTANA.

PROPOSED REVISED ABSTRACT
STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201901 HELENA, MONTANA 59620-1901
GENERAL ABSTRACT

Water Right Number: 40N 168313-00 STATEMENT OF CLAIM

Version: 3 -- REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: JANUARY 1, 1973

Enforceable Priority Date: JANUARY 1, 1973

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 CHISHOLM 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		S	11	34N	37E	VALLEY

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>
N	11	11	34N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 to NOVEMBER 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			S	11	34N	37E	VALLEY

Geocodes/Valid: 20-4678-16-2-01-01-0000 - Y

Remarks:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: W2 OF SECTION 15, TOWNSHIP 34 NORTH, RANGE 37 EAST, VALLEY COUNTY, MONTANA.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 10122 RECEIVED 08/15/2003.

OWNERSHIP UPDATE TYPE DOR # 198294 RECEIVED 12/13/2012.

PROPOSED REVISED ABSTRACT

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: 40N 168318-00 STATEMENT OF CLAIM
Version: 2-- REEXAMINED

Version Status: ACTIVE

Owner: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: DECEMBER 31, 1949

Enforceable Priority Date: DECEMBER 31, 1949

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 CHISHOLM 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		NESENE	16	34N	37E	VALLEY

Period of Diversion: APRIL 1 TO NOVEMBER 30

Diversion Means: DAM

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
W2NW	NESENE	16	34N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 8.00 FEET

Depth: 5.00 FEET

Surface Area: 21.00 ACRES

Current Capacity: 42.00 ACRE-FEET

THE DAM EXTENDS INTO THE SWNNW SEC 15 TWP 34N RGE 37E VALLEY
COUNTY.

THE CAPACITY, DAM HEIGHT, DEPTH, AND SURFACE AREA HAVE BEEN
ESTIMATED BY DNRG.

Period of Use: APRIL 1 to NOVEMBER 30 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		SWNNW	15	34N	37E	VALLEY	
		W2NW					

Geocodes/Valid: 20-4675-15-2-01-01-0000 - Y

Remarks:

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 10122 RECEIVED 08/16/2003.

OWNERSHIP UPDATE TYPE DOR # 133698 RECEIVED 01/10/2014.

THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF
DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO
THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON
THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.

Remarks:

RESERVOIR RECORD WAS 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 CLADA.

PROPOSED REVISED ABSTRACT

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: 40N 168333-00 STATEMENT OF CLAIM
Version: 3 -- REEXAMINED

Version Status: ACTIVE

Owner: CARROLL MT. PROPERTIES LLO
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: FEBRUARY 13, 1962

Enforceable Priority Date: FEBRUARY 13, 1962

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 SERVED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSWNE	31	35N	37E	VALLEY

Period of Diversion: APRIL 1 TO NOVEMBER 30

Diversion Means: DAM

Reservoir: ON STREAM Reservoir Name: HENRY RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
W2SWNE	SWSWNE	31	35N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 8.00 FEET

Depth: 5.00 FEET

Surface Area: 8.20 ACRES

Current Capacity: 12.40 ACRE-FEET

THE CAPACITY, DAM HEIGHT, DEPTH, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNR.

Period of Use: APRIL 1 to NOVEMBER 30

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			W2SWNE	31	35N	37E	VALLEY
2			NESSEN	31	35N	37E	VALLEY

Geocodes/Valid: 20-4786-31-2-01-01-0000 - Y

Remarks:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: SW, S2NW, NENW OF SECTION 31, TOWNSHIP 35 NORTH, RANGE 37 EAST, VALLEY COUNTY, MONTANA.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 808 # 5205 RECEIVED 10/08/2002.

OWNERSHIP UPDATE TYPE DOR # 115749 RECEIVED 12/13/2012.

THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.

Remarks:

~~RESERVOIR RECORD WAS MODIFIED AS A RESULT OF DNR 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.~~

RESERVOIR EXTENDS INTO THE NESENW OF SECTION 31, TOWNSHIP 35 NORTH, RANGE 37 EAST VALLEY COUNTY, MONTANA.

PROPOSED REVISED ABSTRACT

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201801 HELENA, MONTANA 59620-1801

GENERAL ABSTRACT

Water Right Number: 40N 168334-00 STATEMENT OF CLAIM

Version: 3 -- REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: FEBRUARY 13, 1962

Enforceable Priority Date: FEBRUARY 13, 1962

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 DEEP CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	NWNWNE	SWNWNE	32	35N	87E	VALLEY

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

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
NWNWNE	SWNWNE	32	35N	87E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 to NOVEMBER 30

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		W2NWNE	32	35N	87E		VALLEY

Geocode/Valld: 20-4785-32-2-01-01-0000 - Y

Remarks:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: E2NW OF SECTION 32, TOWNSHIP 35 NORTH, RANGE 37 EAST, VALLEY COUNTY, MONTANA.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608.# 5205 RECEIVED 10/08/2002.

OWNERSHIP UPDATE TYPE DOR # 115749 RECEIVED 12/13/2012.

PROPOSED REVISED ABSTRACT

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 8TH AVENUE P.O. BOX 201801 HELENA, MONTANA 59620-1801

GENERAL ABSTRACT

Water Right Number: 40N 168336-00 STATEMENT OF CLAIM

Version: 3 -- REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: AUGUST 11, 1971

Enforceable Priority Date: AUGUST 11, 1971

Type of Historical Right: FILED

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 WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNE	35	35N	37E	VALLEY

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>
	NESWNE	35	35N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 to NOVEMBER 30

Place of Use:

<u>ID</u>	<u>Acre</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESWNE	35	35N	37E	VALLEY
2			SESWNE	35	35N	37E	VALLEY
3			SWNE	35	35N	37E	VALLEY

Geocodes/Valid: 20-4785-35-1-01-01-0000 - Y

Remarks:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: E2E2 OF SECTION 35, TOWNSHIP 35 NORTH, RANGE 37 EAST, VALLEY COUNTY, MONTANA.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 808 # 5206 RECEIVED 10/08/2002.

OWNERSHIP UPDATE TYPE DOR # 115749 RECEIVED 12/13/2012.

RESERVOIR EXTENDS INTO THE SEWNE AND THE SWNE OF SECTION 35, TOWNSHIP 35 NORTH, RANGE 37 EAST, VALLEY COUNTY, MONTANA.

PROPOSED REVISED ABSTRACT
STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201801 HELENA, MONTANA 59620-1801
GENERAL ABSTRACT

Water Right Number: 40N 168340-00 STATEMENT OF CLAIM
Version: 4 -- REEXAMINED

Version Status: ACTIVE

Owner(s): CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: AUGUST 11, 1971

Enforceable Priority Date: AUGUST 11, 1971

Type of Historical Right: FILED

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 WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Gov't Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSENE	33	35N	37E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ON STREAM Reservoir Name: HALTER RESERVOIR

Gov't Lot	Qtr Sec	Sec	Twp	Rge	County
W2SENE	SWSENE	33	35N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 8.00 FEET

Depth: 5.00 FEET

Surface Area: 11.50 ACRES

Current Capacity: 23.00 ACRE-FEET

THE CAPACITY, DAM HEIGHT, DEPTH, AND SURFACE AREA HAVE BEEN
ESTIMATED BY DNRG.

Period of Use: APRIL 1 to NOVEMBER 30

Place of Use:

ID	Acres	Gov't Lot	Qtr Sec	Sec	Twp	Rge	County
1			W2SENE	33	35N	37E	VALLEY
2			E2SWNE	33	35N	37E	VALLEY
3			S2NENE	33	35N	37E	VALLEY

Geocodes/Valid: 20-4785-33-1-01-01-0000 - Y

Remarks:

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 5205 RECEIVED 10/08/2002.

OWNERSHIP UPDATE TYPE DOR # 115748 RECEIVED 12/13/2012.

RESERVOIR RECORD WAS MODIFIED AS A RESULT OF DNRG 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.

RESERVOIR EXTENDS INTO THE E2SWNE AND THE S2NENE OF SECTION 33, TOWNSHIP 35 NORTH, RANGE 37
EAST, VALLEY COUNTY, MONTANA.

PROPOSED REVISED ABSTRACT
STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201801 HELENA, MONTANA 59620-1801
GENERAL ABSTRACT

Water Right Number: 40N 188342-00 STATEMENT OF CLAIM

Version: 3 - REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28807-1549

Priority Date: FEBRUARY 13, 1982

Enforceable Priority Date: FEBRUARY 13, 1982

Type of Historical Right: FILED

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 WILLLOW CREEK, WEST FORK

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		SE	SWSE	3	36N	38E VALLEY

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>
SE	SE	SWSE	3	36N	38E VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 to NOVEMBER 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		SE	SE	SWSE	3	36N	38E VALLEY

Geocodes/Valid: 20-4786-10-1-01-01-0000 - Y

Remarks:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: SWNW, E2NW, SWE2 OF SECTION 10, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY, MONTANA.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 5205 RECEIVED 10/09/2002

OWNERSHIP UPDATE TYPE DOR # 172705 RECEIVED 12/13/2012.

PROPOSED REVISED ABSTRACT

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 8TH AVENUE P.O. BOX 201801 HELENA, MONTANA 59620-1801
GENERAL ABSTRACT

Water Right Number: 40N 166345-00 STATEMENT OF CLAIM
Version: 3 -- REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: NOVEMBER 7, 1969

Enforceable Priority Date: NOVEMBER 7, 1969

Type of Historical Right: FILED

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 SERVED BY THIS WATER
SOURCE.

Source Name: UNNAMED TRIBUTARY OF LONE TREE COULEE

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		NE	SE	11	35N	38E VALLEY

Period of Diversion: APRIL 1 TO NOVEMBER 30

Diversion Means: DAM

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

Reservoir: ON-STREAM

<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NE	SE	11	35N	38E VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 to NOVEMBER 30

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			NE	SE	11	35N	38E VALLEY
2			SE	NE	11	35N	38E VALLEY

Geocodes/Valid: ZQ-4796-11-3-01-01-0000 - Y

Remarks:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO
THE FOLLOWING PRIVATE LANDS: SW OF SECTION 11, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY
COUNTY, MONTANA.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 808 # 6206 RECEIVED 10/08/2002.

OWNERSHIP UPDATE TYPE DOR # 115749 RECEIVED 12/13/2012

RESERVOIR EXTENDS INTO THE SENESE OF SECTION 11 TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY
COUNTY MONTANA.

PROPOSED REVISED ABSTRACT
STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 6TH AVENUE, P.O. BOX 201801 HELENA, MONTANA 59620-1801

GENERAL ABSTRACT

Water Right Number: 40N 168349-00 STATEMENT OF CLAIM

Version: 3 - REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: NOVEMBER 8, 1968

Enforceable Priority Date: NOVEMBER 8, 1968

Type of Historical Right: FILED

Purpose (net): 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 LONE TREE COULEE

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		NWNWNW	23	35N	38E	VALLEY

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>
NWNWNW	23	35N	38E	VALLEY	

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 to NOVEMBER 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		NWNWNW	23	35N	38E	VALLEY	
2		NENENE	22	35N	38E	VALLEY	

Geocodes/Valid: 20-4786-14-3-01-01-0000 - Y

Remarks:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS, THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: SW OF SECTION 14, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY, MONTANA.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 5205 RECEIVED 10/08/2002.

OWNERSHIP UPDATE TYPE DOR # 198338 RECEIVED 12/13/2012

RESERVOIR EXTENDS INTO THE NENENE OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY, MONTANA.

PROPOSED REVISED ABSTRACT

STATE OF MONTANA

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O. BOX 201801 HELENA, MONTANA 59620-1801

GENERAL ABSTRACT

Water Right Number: 40N 168350-00 STATEMENT OF CLAIM
Version: 3 - REEXAMINED

Version Status: ACTIVE

Owner: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: NOVEMBER 7, 1969

Enforceable Priority Date: NOVEMBER 7, 1969

Type of Historical Right: FILED

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 WILLOW CREEK, WEST FORK

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.		NWNE	9	35N	38E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

THE PERIOD OF DIVERSION HAS BEEN STANDARDIZED BY DNR 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>
	NWNE	9	35N	38E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 to NOVEMBER 30

Place of Use:

<u>ID</u>	<u>Acre</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2SE	4	35N	38E	VALLEY
2			NWNE	9	35N	38E	VALLEY

Geocodes/Valid: 20-4786-09-1-04-01-0000 - Y

20-4786-09-3-02-01-0000 - Y

Remarks:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: W2SW, SENE, SE OF SECTION 9, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY, MONTANA.

OWNERSHIP UPDATE RECEIVED:

OWNERSHIP UPDATE TYPE 608 # 5205 RECEIVED 10/08/2002.

OWNERSHIP UPDATE TYPE DOR # 170619 RECEIVED 12/13/2012.

RESERVOIR EXTENDS INTO THE W2SESW OF SECTION 4, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY, MONTANA.

PROPOSED REVISED ABSTRACT

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 5TH AVENUE P.O. BOX 201801 HELENA, MONTANA 59620-1801

GENERAL ABSTRACT

Water Right Number: 40N 188351-00 STATEMENT OF CLAIM

Version: 3 - REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1649
BOONE, NC 28607-1549

Priority Date: JANUARY 1, 1973

Enforceable Priority Date: JANUARY 1, 1973

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 WILLOW CREEK, WEST FORK

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		SESWNE	4	35N	38E	VALLEY

Period of Diversion: APRIL 1 TO NOVEMBER 30

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>
E2SWNE	SESWNE	4	35N	38E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 to NOVEMBER 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			E2SWNE	4	35N	38E	VALLEY

Geocodes/Valid: 20-4786-05-2-01-01-0000 - Y

Remarks:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO
THE FOLLOWING PRIVATE LANDS: LOTS 3, 4, S2NW OF SECTION 5, TOWNSHIP 35 NORTH, RANGE 38
EAST, VALLEY COUNTY, MONTANA.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 6206 RECEIVED 10/08/2002.

OWNERSHIP UPDATE TYPE DOR # 172705 RECEIVED 12/13/2012.

PROPOSED REVISED ABSTRACT

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: 40N 168353-00 STATEMENT OF CLAIM

Version: 3 -- REEXAMINED

Version Status: ACTIVE

Owner: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: JUNE 20, 1973

Enforceable Priority Date: JUNE 20, 1973

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 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		N	21	35N	38E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

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

Reservoir: ON-STREAM

<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
N2SWNW	N	21	35N	38E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 to NOVEMBER 30

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			N	21	35N	38E	VALLEY
2			S	21	35N	38E	VALLEY

Geocodes/Valid: 20-4786-21-4-01-01-0000 - Y

Remarks:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: SE OF SECTION 21, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY, MONTANA.

OWNERSHIP UPDATE RECEIVED.

OWNERSHIP UPDATE TYPE 808 # 5205 RECEIVED 10/08/2002.

OWNERSHIP UPDATE TYPE DOR # 172705 RECEIVED 12/13/2012.

RESERVOIR EXTENDS INTO THE S2NWNW OF SECTION 21, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY, MONTANA.

PROPOSED REVISED ABSTRACT
STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 5TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 40N 168354-00 STATEMENT OF CLAIM

Version: 5 - REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: NOVEMBER 8, 1968

Enforceable Priority Date: NOVEMBER 8, 1968

Type of Historical Right: FILED

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 WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SEENW	30	35N	38E	VALLEY

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>
E2NENW	SEENW	30	35N	38E	VALLEY

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			E2NENW	30	35N	38E	VALLEY
2			W2NENE	30	35N	38E	VALLEY

Geocodes/Valid: 20-4786-19-2-01-01-0000 - Y

Remarks:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: LOTS 1, 2, E2NW OF SECTION 19, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY, MONTANA.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 6205 RECEIVED 10/08/2002

OWNERSHIP UPDATE TYPE DOR # 172705 RECEIVED 12/13/2012.

RESERVOIR EXTENDS INTO THE W2NENE OF SECTION 30, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY, MONTANA.

PROPOSED REVISED ABSTRACT
STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 8TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601
GENERAL ABSTRACT

Water Right Number: 40N 168361-00 STATEMENT OF CLAIM
Version: 3 -- REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: APRIL 1, 1970

Enforceable Priority Date: APRIL 1, 1970

Type of Historical Right: USE

Purpose (use): STOCK

Maximum 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.

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 WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESESW	10	35N	39E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ON STREAM Reservoir Name: OJUEL RESERVOIR
Govt Lot Qtr Sec Sec Twp Rge County
SESESW 10 35N 39E VALLEY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 8.00 FEET

Depth: 5.00 FEET

Surface Area: 13.00 ACRES

Current Capacity: 26.00 ACRE-Feet

THE CAPACITY, DAM HEIGHT, DEPTH, AND SURFACE AREA HAVE BEEN
ESTIMATED BY DNRC.

Period of Use: APRIL 1 TO NOVEMBER 30 JANUARY 1 TO DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			SWSE	10	35N	39E	VALLEY
2			SESESW	10	35N	39E	VALLEY
3			N2NWNE	15	35N	39E	VALLEY

Geocodes/Valid: 20-4787-10-1-01-01-0000 - Y

Remarks:

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 5205 RECEIVED 10/08/2002.

OWNERSHIP UPDATE TYPE DOR # 116748 RECEIVED 12/13/2012.

RESERVOIR RECORD WAS 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.

RESERVOIR EXTENDS INTO THE SWSE OF SECTION 10 AND THE N2NWNE OF SECTION 15, TOWNSHIP 35 NORTH,
RANGE 39 EAST, VALLEY COUNTY, MONTANA.

PROPOSED REVISED ABSTRACT
STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201801 HELENA, MONTANA 59620-1801
GENERAL ABSTRACT

Water Right Number: 40N 168364-00 STATEMENT OF CLAIM

Version: 3 -- REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1649
BOONE, NC 28607-1549

Priority Date: APRIL 1, 1970

Enforceable Priority Date: APRIL 1, 1970

Type of Historical Right: USE

Purpose (use): STOCK

Maximum 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.

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 WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	1	NW	18	35N	38E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ON STREAM Reservoir Name INDIAN OCEAN

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	NW	18	35N	38E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Dam Height: 13.00 FEET

Depth: 10.00 FEET

Surface Area: 13.00 ACRES

Current Capacity: 52.00 ACRE-Feet

THE DAM HEIGHT, DEPTH, SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNR.

Period of Use: APRIL 1 to NOVEMBER 30 JANUARY 1 TO DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		1	NW	18	35N	38E	VALLEY
2		12	SWNW	7	35N	38E	VALLEY

Geocodes/Valid: 20-4787-07-2-04-01-0000 - Y

20-4787-18-1-01-01-0000 - Y

Remarks:

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 5205 RECEIVED 10/08/2002.

OWNERSHIP UPDATE TYPE DOR # 116749 RECEIVED 12/13/2012.

RESERVOIR RECORD WAS MODIFIED AS A RESULT OF DNR 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.

RESERVOIR EXTENDS INTO THE SW OF SECTION 7, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY, MONTANA

PROPOSED REVISED ABSTRACT

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: 40N 168366-00 STATEMENT OF CLAIM

Version: 8 -- REEXAMINED

Version Status: ACTIVE

Owner: GARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: FEBRUARY 13, 1962

Enforceable Priority Date: FEBRUARY 13, 1962

Type of Historical Right: FILED

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 WILLOW CREEK, WEST FORK

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		SENESEW	34	36N	38E	VALLEY

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>
	SENESEW	34	36N	38E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: APRIL 1 to NOVEMBER 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			SENESEW	34	36N	38E	VALLEY
2		SNNWSE	SNNWNE	34	36N	36E	VALLEY

Geocodes/Valid: 20-4786-10-1-01-01-0000 - Y

Remarks:

THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: SNNW, E2NW, SW, E2 OF SECTION 10, TOWNSHIP 35 NORTH, RANGE 38 EAST, VALLEY COUNTY, MONTANA.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 606 # 5205 RECEIVED 10/08/2002.

OWNERSHIP UPDATE TYPE DOR # 172705 RECEIVED 12/13/2012.

RESERVOIR EXTENDS INTO THE SNNWSE OF SECTION 34. TOWNSHIP 36 NORTH, RANGE 38 EAST, VALLEY COUNTY, MONTANA.

PROPOSED REVISED ABSTRACT

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 8TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 40N 188875-00 STATEMENT OF CLAIM

Version: 3 -- REEXAMINED

Version Status: ACTIVE

Owners: CARROLL MT PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: DECEMBER 31, 1950

Enforceable Priority Date: DECEMBER 31, 1950

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 DEEP 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		SWNWNW	35	36N	37E	VALLEY

Period of Diversion: APRIL 1 TO NOVEMBER 30

Diversion Means: DAM

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
NWNW	SWNWNW	35	36N	37E	VALLEY

Diversion to Reservoir: DIVERSION # 1

Period of Use: JULY 15 to NOVEMBER 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		NWNW	35	36N	37E	VALLEY	

Geocodes/Valid: 20-4891-35-2-02-01-0000 - Y

Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 57881 RECEIVED 08/12/2009.

OWNERSHIP UPDATE TYPE DOR # 51626 RECEIVED 08/08/2010.

OWNERSHIP UPDATE TYPE DOR # 115749 RECEIVED 12/13/2012.

PROPOSED REVISED ABSTRACT
STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201801 HELENA, MONTANA 59620-1801
GENERAL ABSTRACT

Water Right Number: 40N 210853-00 STATEMENT OF CLAIM
Version: 2 -- REEXAMINED

Version Status: ACTIVE

Owner: CARROLL MT. PROPERTIES LLC
PO BOX 1549
BOONE, NC 28607-1549

Priority Date: NOVEMBER 24, 1908

Enforceable Priority Date: NOVEMBER 24, 1908

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 10.30 CFS

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

Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 272.00

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1.		NENESE	30	34N	37E	VALLEY

Period of Diversion: MARCH 15 TO JULY 15

Diversion Means: PUMP/FLOOD AND DIKE

Period of Use: ~~MARCH 15 TO JULY 15~~ JANUARY 1 TO DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	58.49		S2	19	34N	37E	VALLEY
2	126.32		E2	30	34N	37E	VALLEY
3	47.45		NE	31	34N	37E	VALLEY
4	5.20		W2W2NW	32	34N	37E	VALLEY
5	35.54		W2W2	29	34N	37E	VALLEY
Total:	272.00						

Geocodes/Valid: 20-4679-19-1-01-01-0000 - Y 20-4679-29-1-01-01-0000 - Y
20-4679-30-1-01-01-0000 - Y 20-4679-31-1-02-01-0000 - Y
20-4679-32-1-01-01-0000 - Y

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

168315-00 210852-00 210853-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 808 # 10122 RECEIVED 09/15/2003.

OWNERSHIP UPDATE TYPE DOR # 115742 RECEIVED 12/13/2012.

OWNERSHIP UPDATE TYPE DOR # 133698 RECEIVED 01/10/2014.

Carroll Companies

Valley County, MT

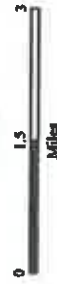


Hinsdale Ranch Property Overview (South)

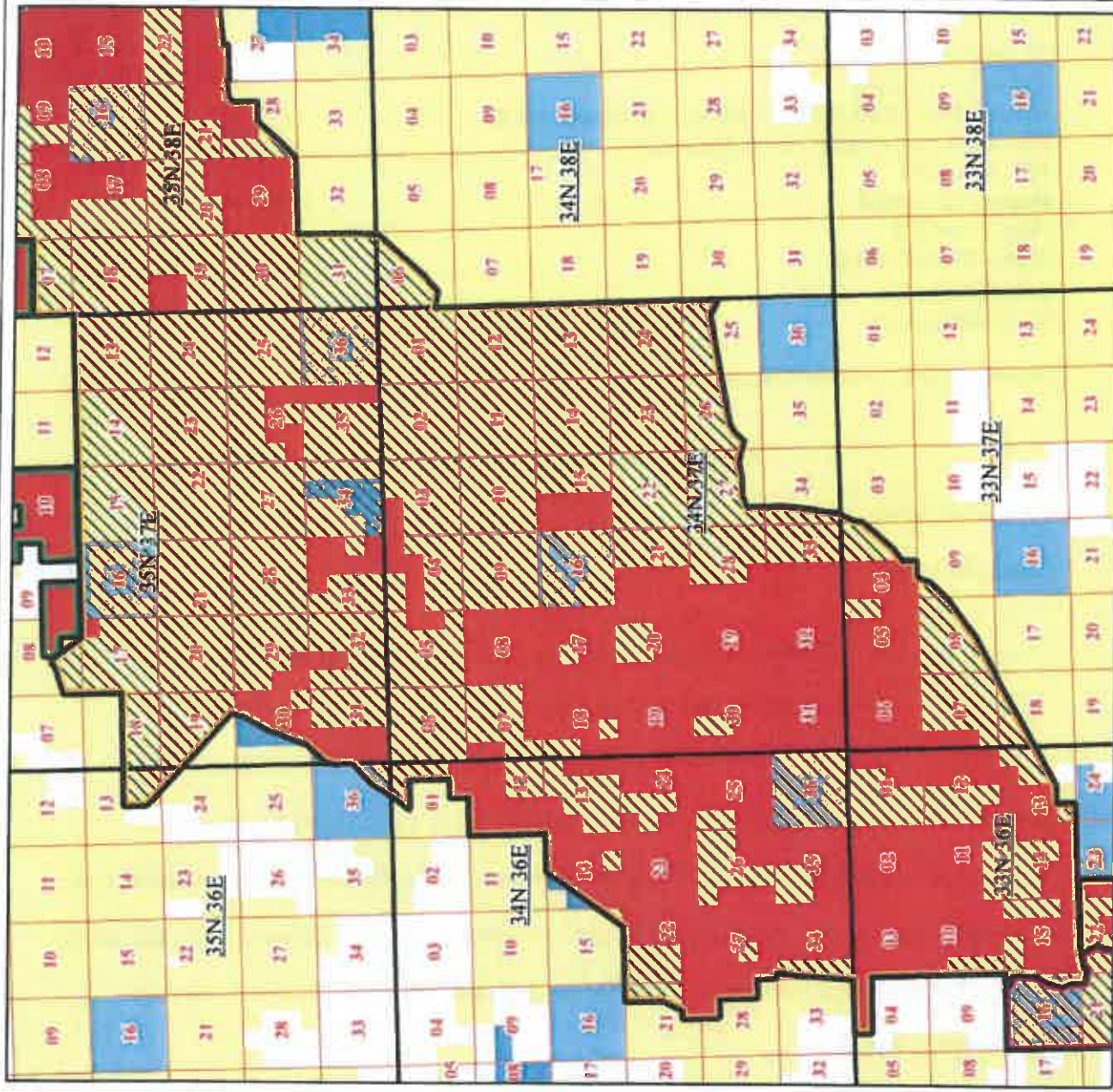
- Hinsdale Ranch*
- Jakz Canyon Ranch*
- Lanny Hanson Ranch*
- Leased To Jones
- Carroll MT Properties LLC
- Leased Land**
- Public Lands**
- County Government
- Montana State Trust Lands
- US Bureau of Land Management

* Ranch names and borders as provided by Carroll Companies.
 ** Leased land based on input from Carroll Companies (BLM Allotments 04722 & 04718)

Created 12/29/2017



This map is for illustrative purposes only and does not guarantee the accuracy of delineated boundaries.



W. John Tietz
Hallee C. Frandsen
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(406) 443-6882 (fax)
john@bkbh.com
hallee@bkbh.com

Attorneys for Carroll MT Properties LLC

AFFIDAVIT OF JOSEPH ETCHART

STATE OF MONTANA)
 :ss
County of Valley)

I, Joseph O. Etchart, having been duly sworn upon my oath, depose and state:

1. I am over eighteen years of age and reside in Glasgow, Montana.
2. I was born on July 7, 1948 and raised in Glasgow, Montana. I am one of the previous landowners and operators of Hinsdale Land Company and Hinsdale Livestock Company, having purchased them with my brother from our father Gene Etchart. Hinsdale Land Company owned the land encompassed below from 1949 to 2002 and the water rights associated with it. I was involved in the operation of the ranch property described below for 40 years between 1962 and 2002.
3. I became president of Hinsdale Land and Hinsdale Livestock in 1982 and, together with my father, ran the on the ground day-to-day operations and management of the ranch property until we sold the real estate in 2002.
4. Since the sale of the property from Hinsdale Land Company to Carroll MT Properties, LLC in 2002 I have aided in the operations associated with the transitioning management, serving as the liaison between Carroll and the tenants of the properties to assist in

the preparation and execution of the various leases, contracts and filings required for the operations.

5. From 1949 to 2002 Hinsdale Livestock Company ran stock year-round, as conditions allowed, on the following lands:

Sections 2 and 14 of Township 33 North, Range 36 East;

Section 6 of Township 33 North, Range 37 East;

Sections 12, 14, 22, 24, 25, 26, and 34 of Township 34 North, Range 36 East;

Sections 7, 15, 20, 29, 30, 31, and 32 of Township 34 North, Range 37 East;

Section 19 of Township 35 North, Range 38 East;

Sections 1, 7, 9, 10, and 18 of Township 35 North, Range 39 East;

Section 6 of Township 35 North, Range 40 East; and

Sections 31, 32 and 34 of Township 36 North, Range 39 East.

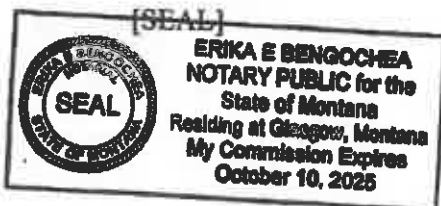
6. Hinsdale Livestock Company used water for stock on the above listed lands year-round, between January and December, whenever conditions allowed and water was available.

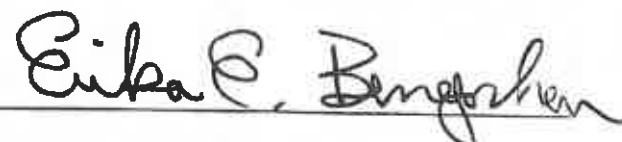
Further affiant sayeth naught.

DATED this 30th day of March, 2022


Joseph Etchart

SIGNED AND SWORN TO before me this 30th day of March, 2022,
by Joseph Etchart.




Notary Public for the State of Montana

Carroll Company

Valley County, MT



Hinsdale Ranch

Potential Water Use and GWIC Data
T35N and 36N, R39E

Hinsdale Ranch
CARROLL MT PROPERTIES
LLC

GWIC Wells*

★ Sites of potential water use**

Public Lands

BLM

Montana State Trust Lands

Valley County

*GWIC locations mapped from Bureau of
Mines data, and have not been edited.
**Mapped based on DMS review of current
aerial imagery.



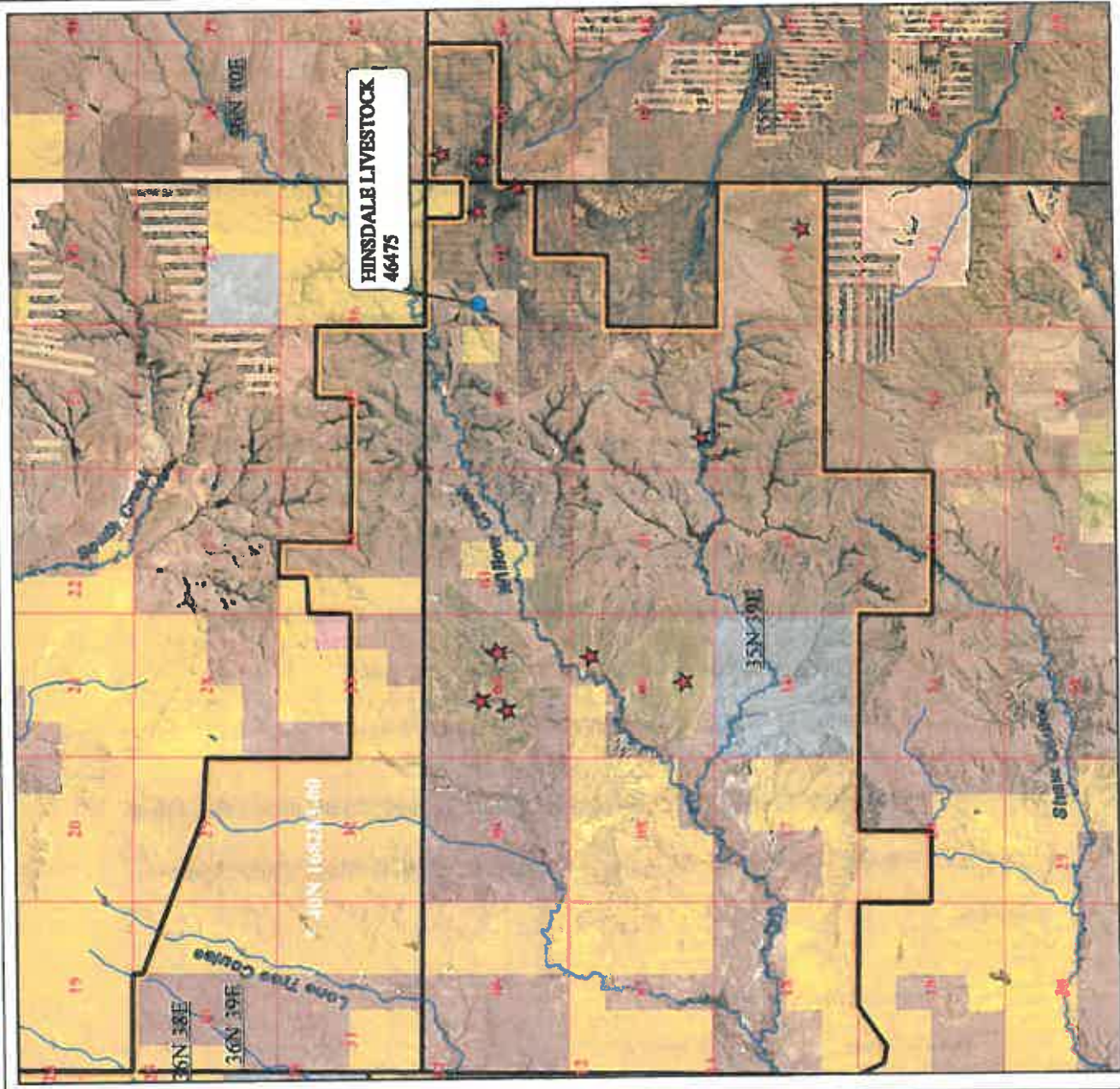
Created 2/27/2019

Aerial Imagery: NAIP 2017

0 0.75 1.5

Miles

This map is for illustrative purposes only and does
not guarantee the accuracy of delineated boundaries.



HINSDALE LIVESTOCK
46475

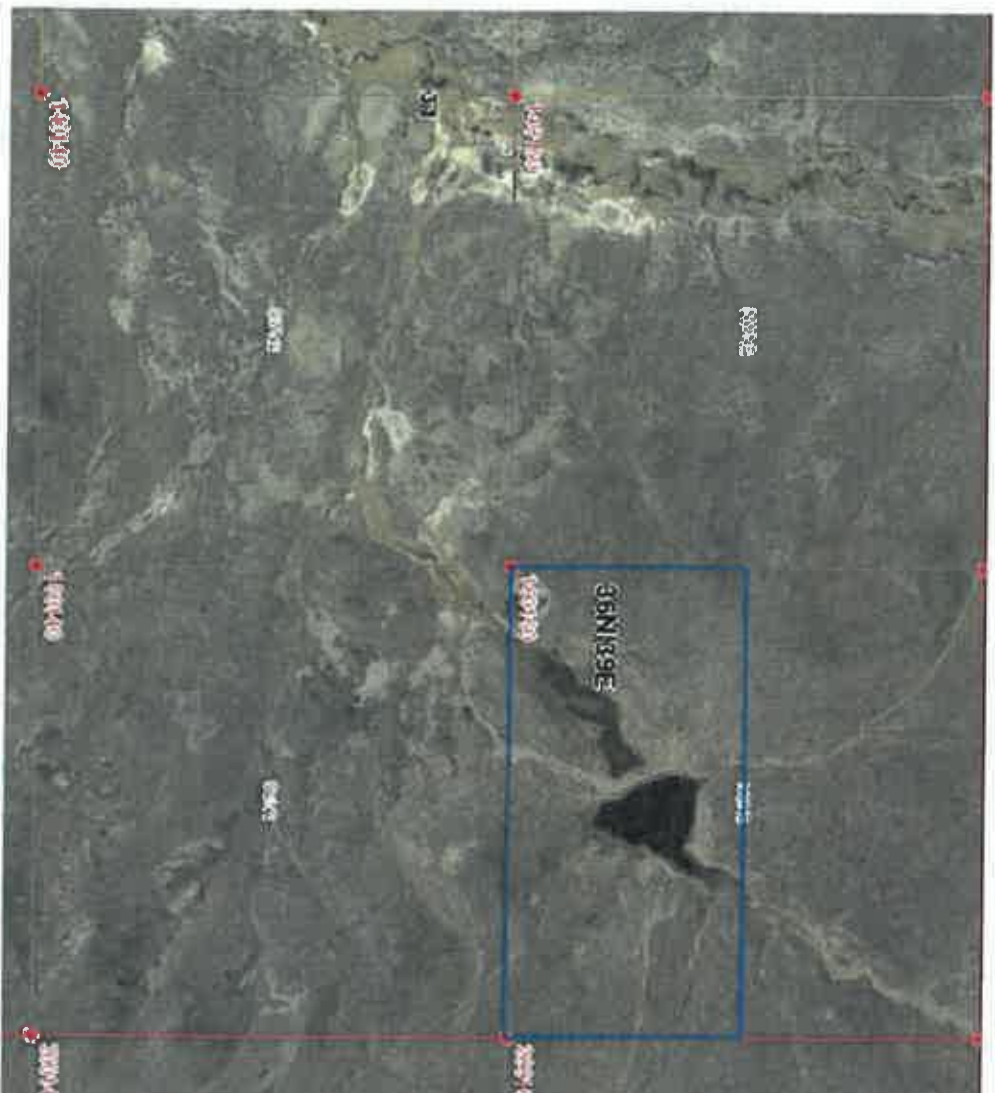


Exhibit 5



Exhibit 6

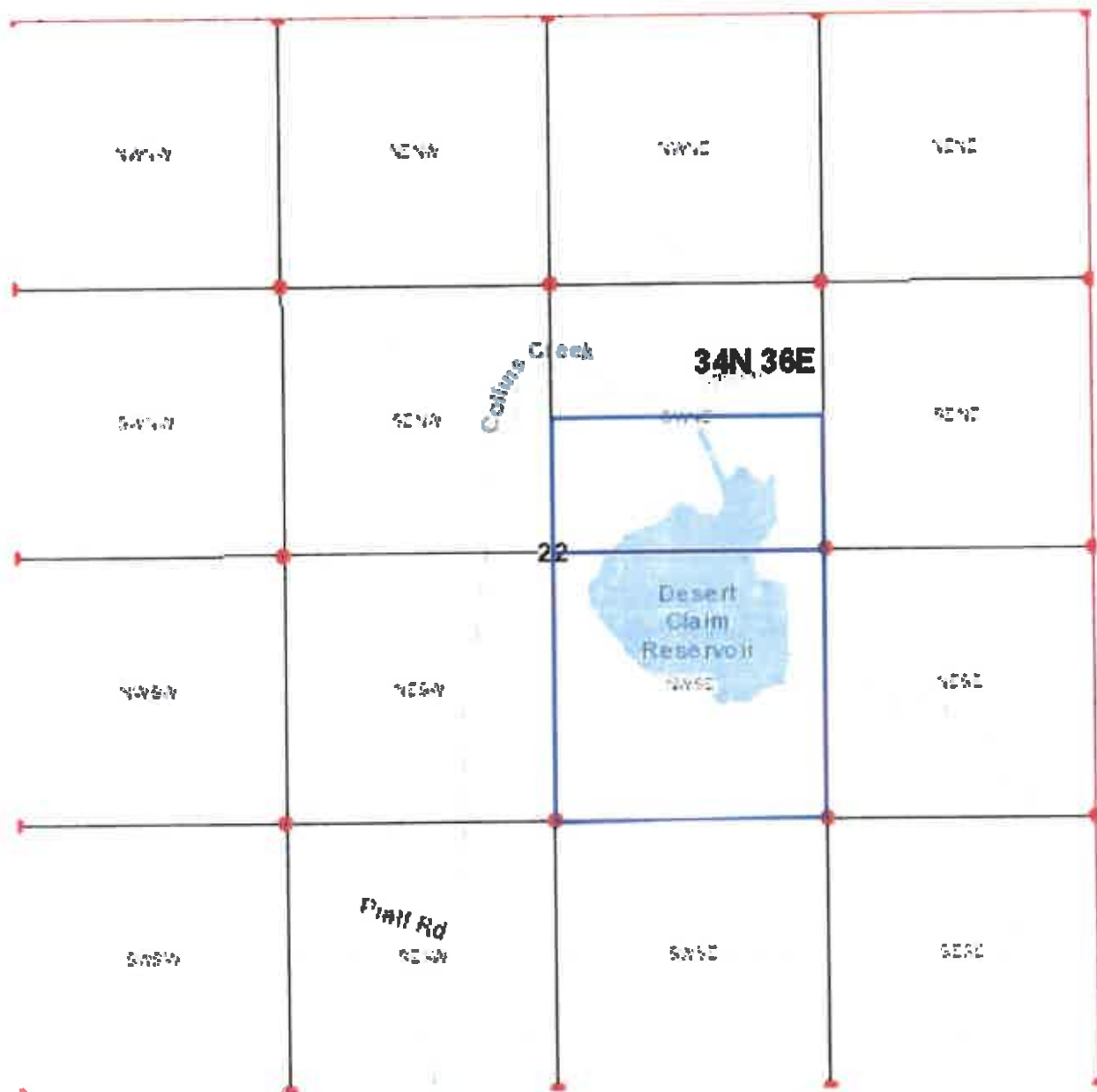


Exhibit 8



Exhibit 9

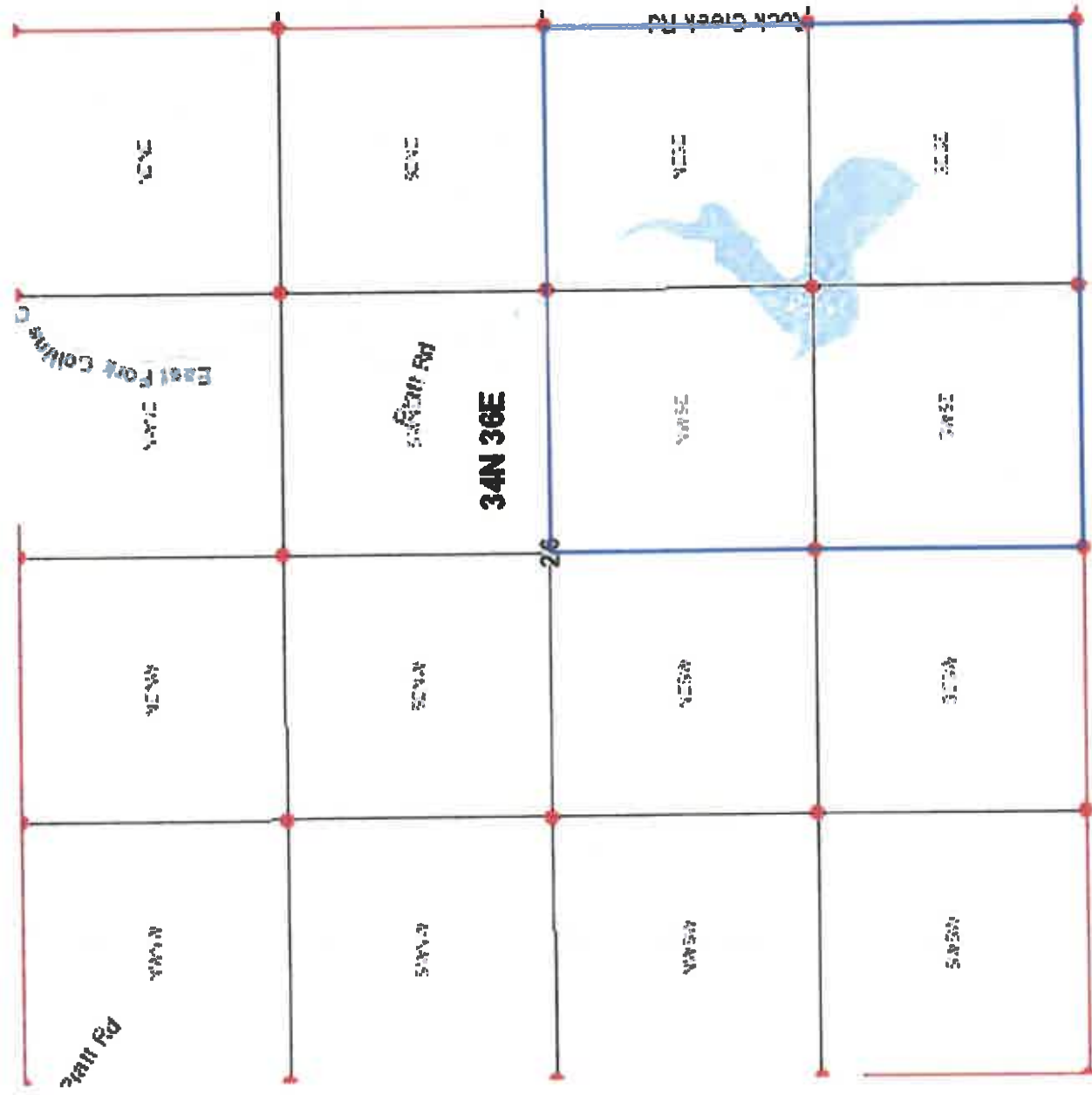


Exhibit 10



Exhibit 11

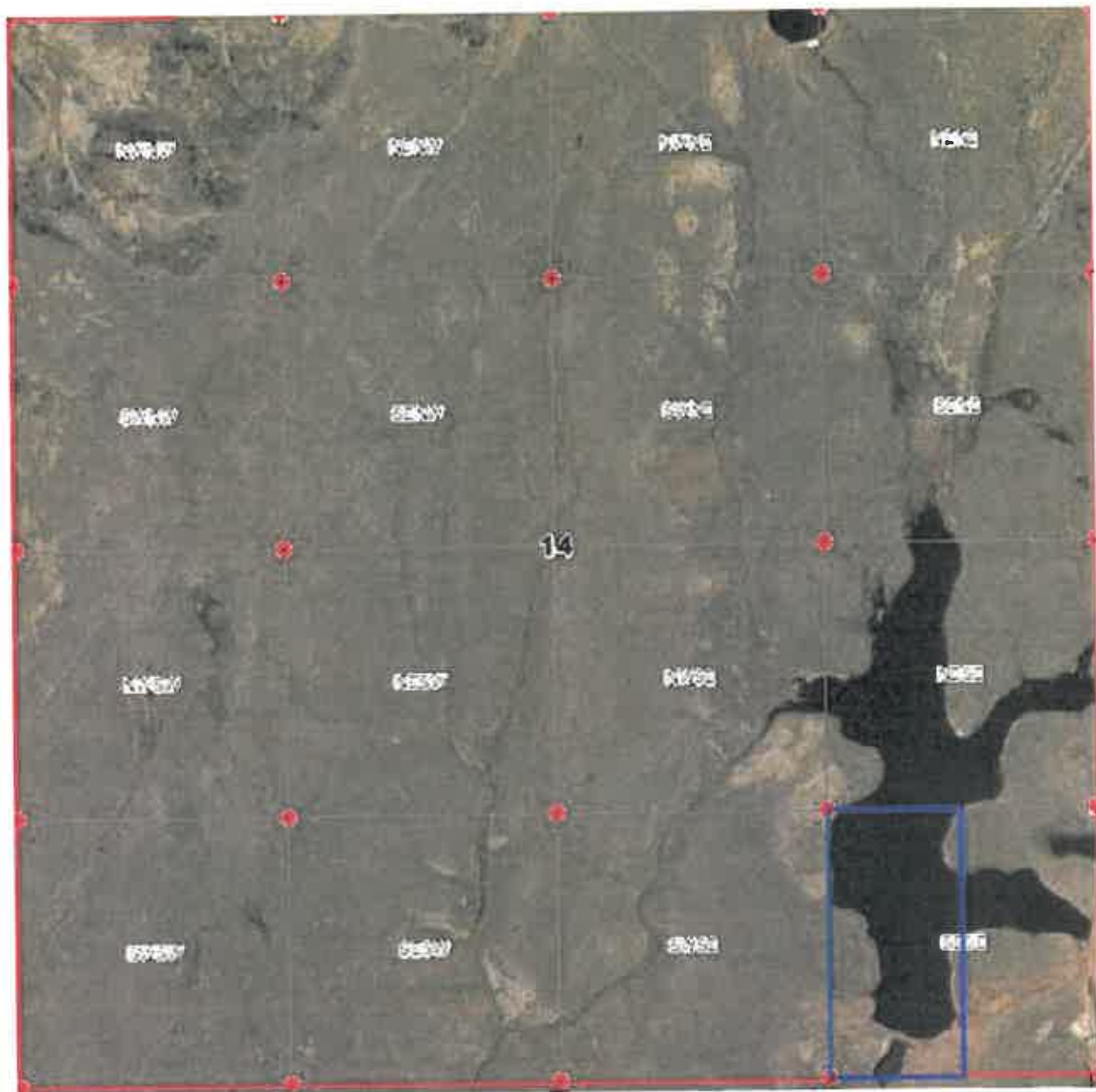


Exhibit 12



Exhibit 13



Exhibit 14

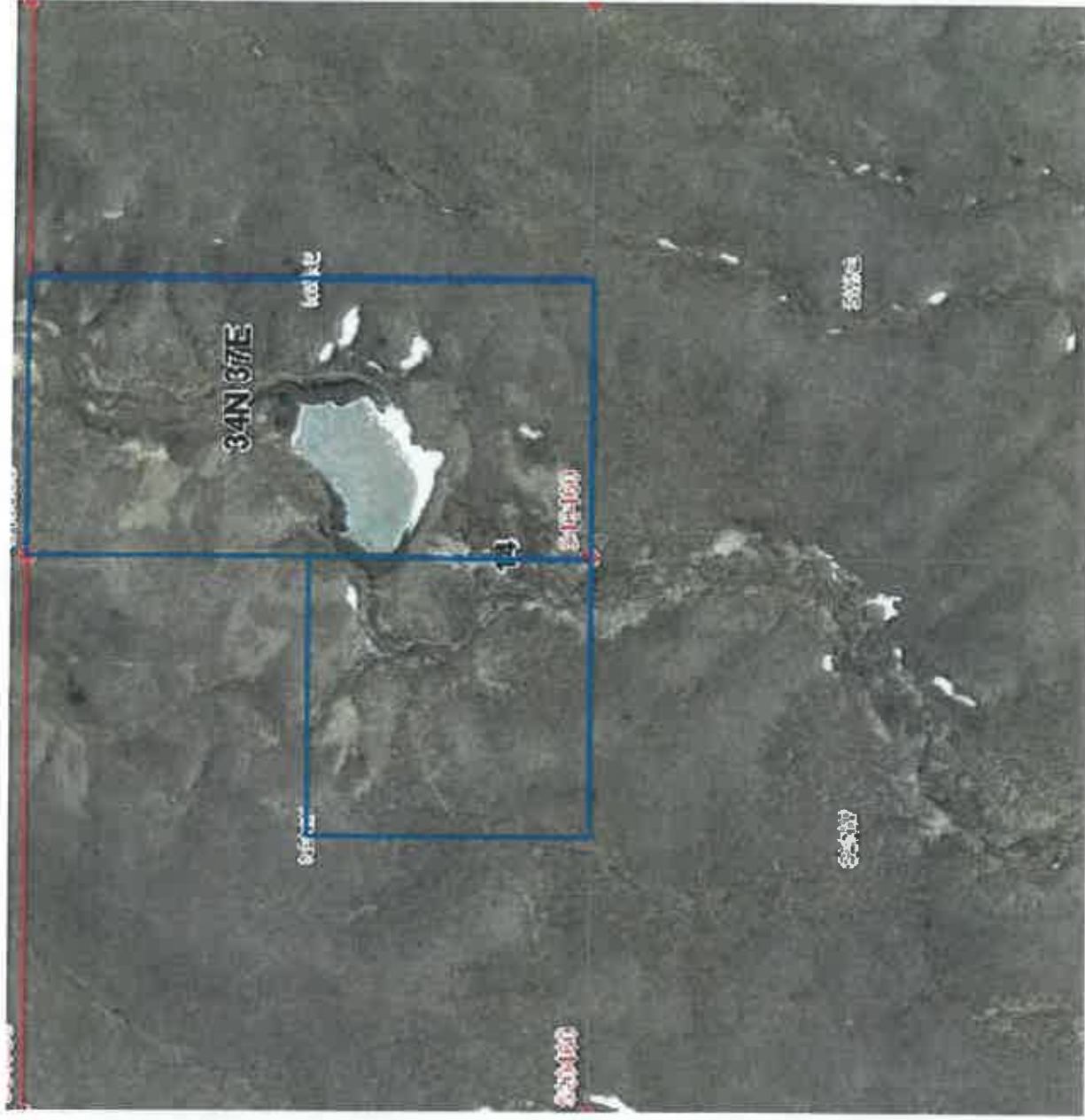


Exhibit 15

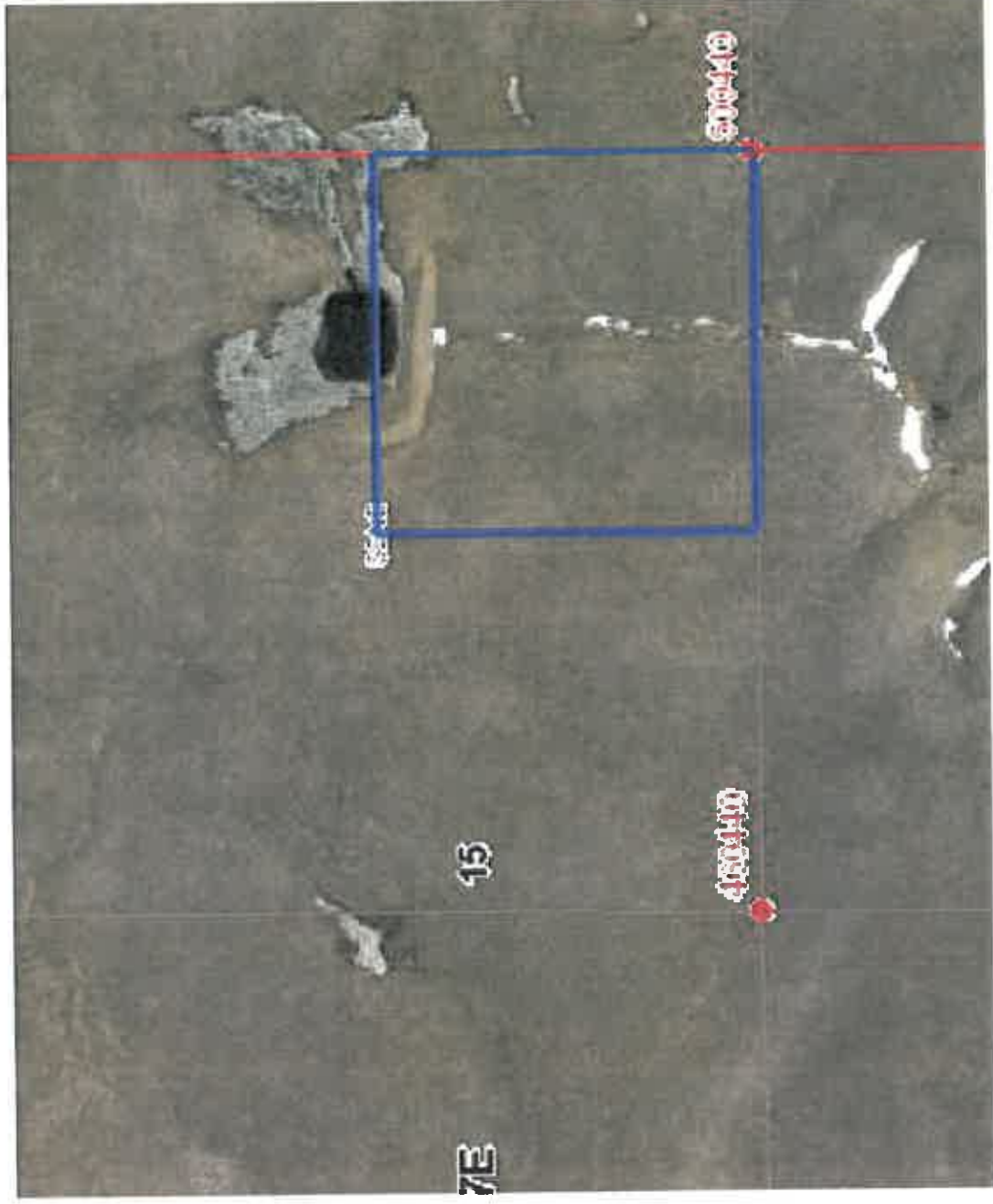
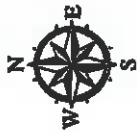


Exhibit 16

Case 40N-0041-R-2021

Valley County, MT



40N 168307 00



Carroll MT Properties, LLC



40N 168307 00 POD (Dam)

Created 4/29/2022

**Background: USGS Topographic Map
1984 Provisional Edition**



Miles

This map is for illustrative purposes only and does not guarantee the accuracy of delineated boundaries.

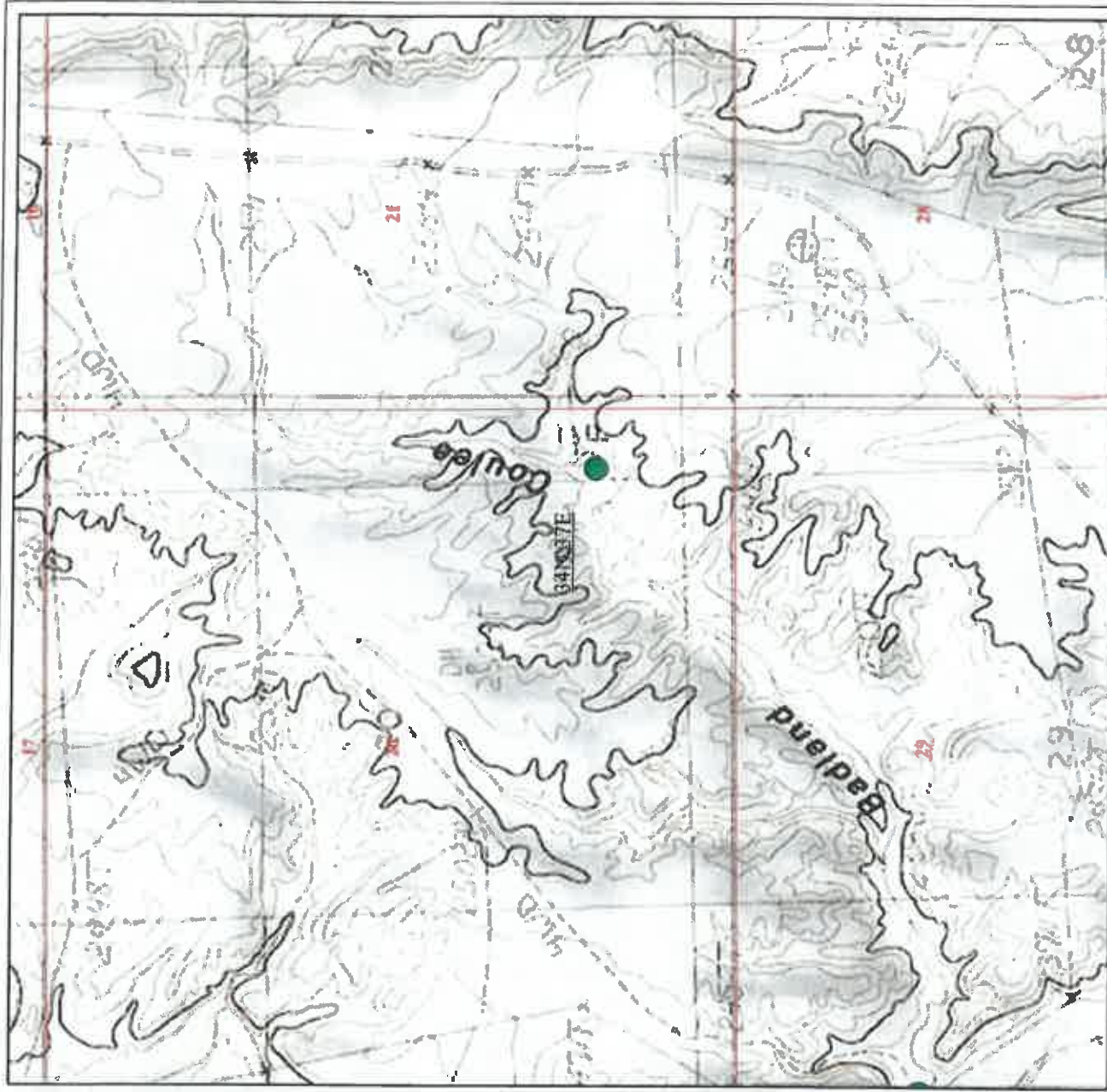




Exhibit 18

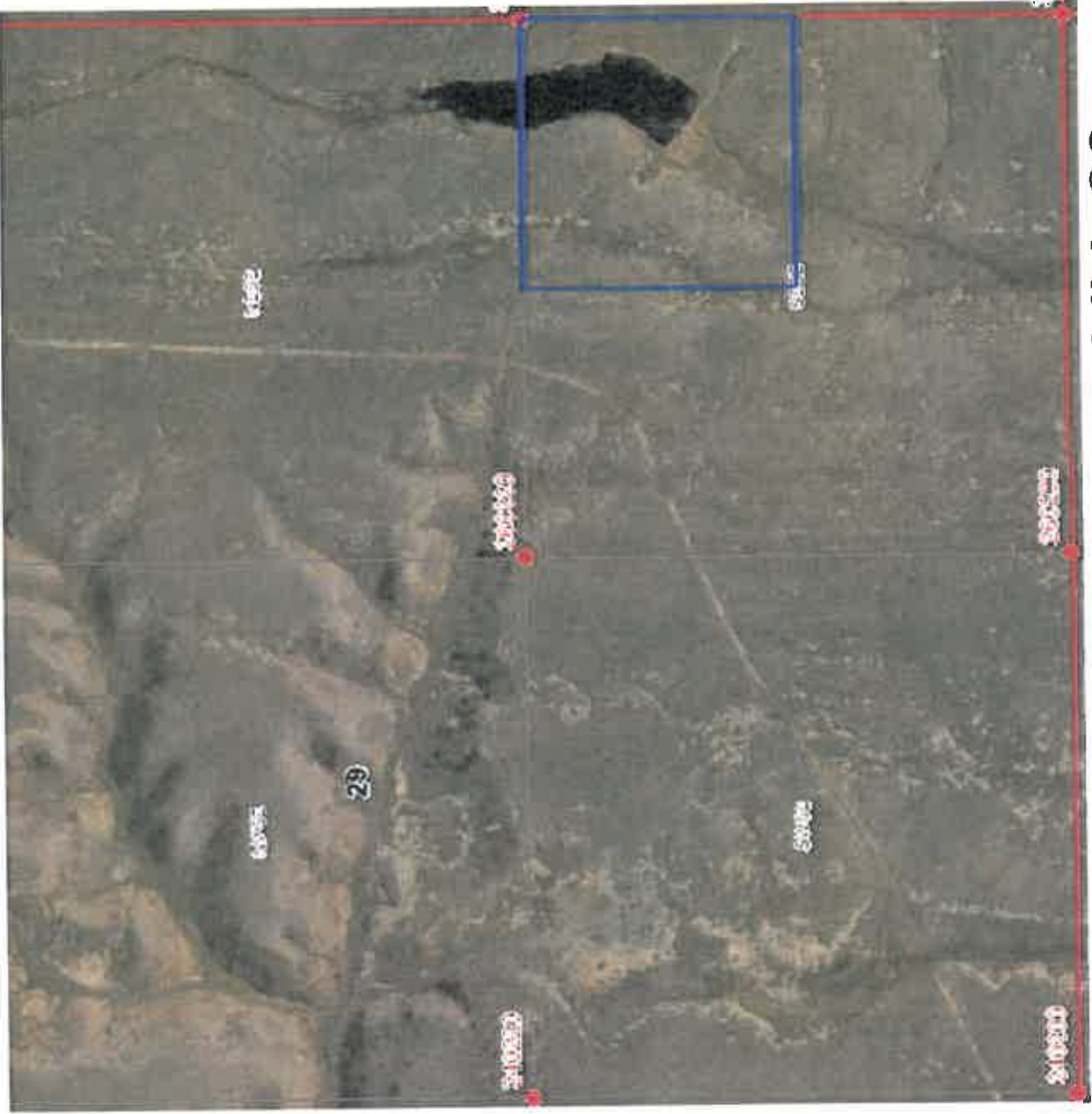


Exhibit 20

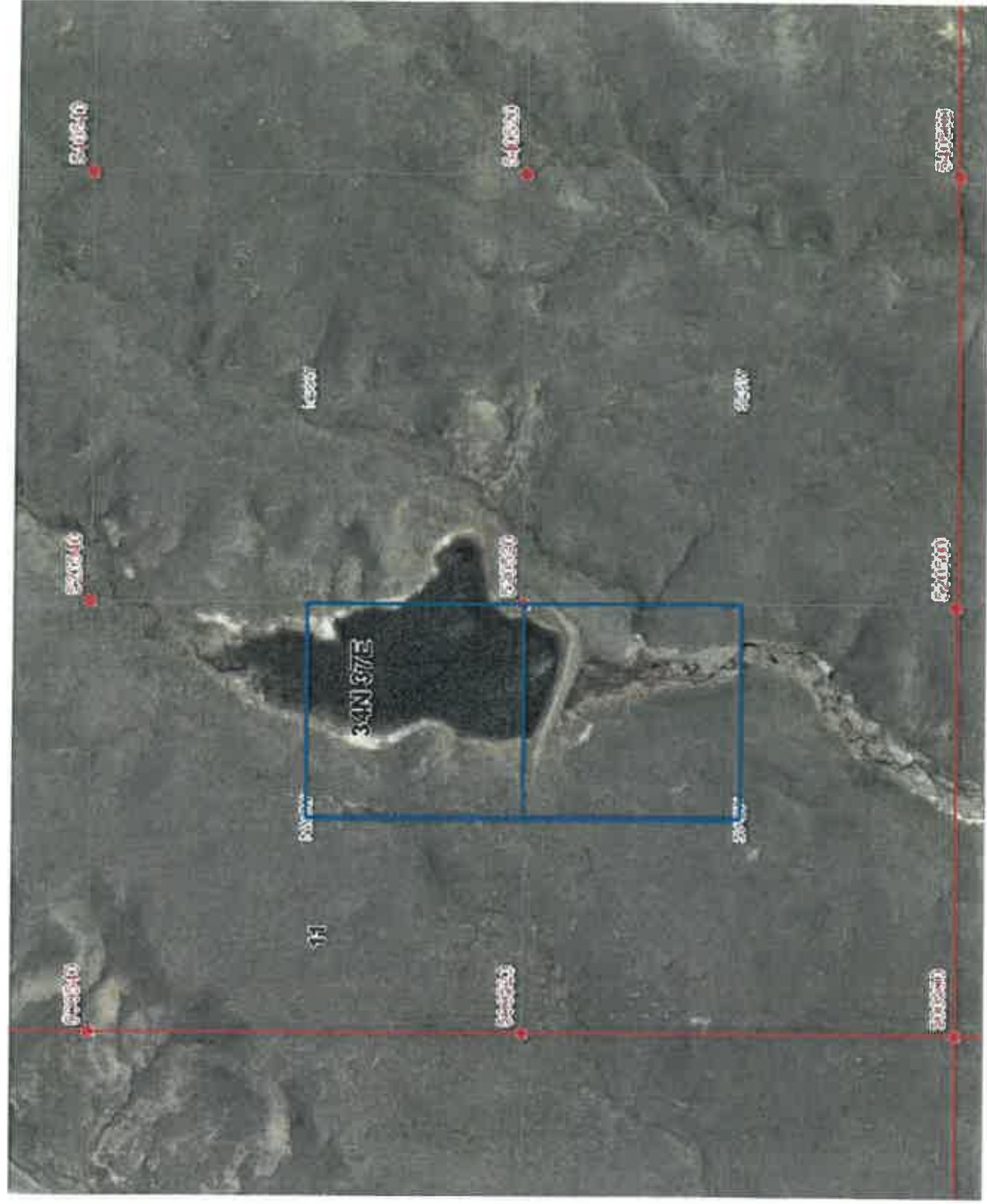


Exhibit 21



Exhibit 22

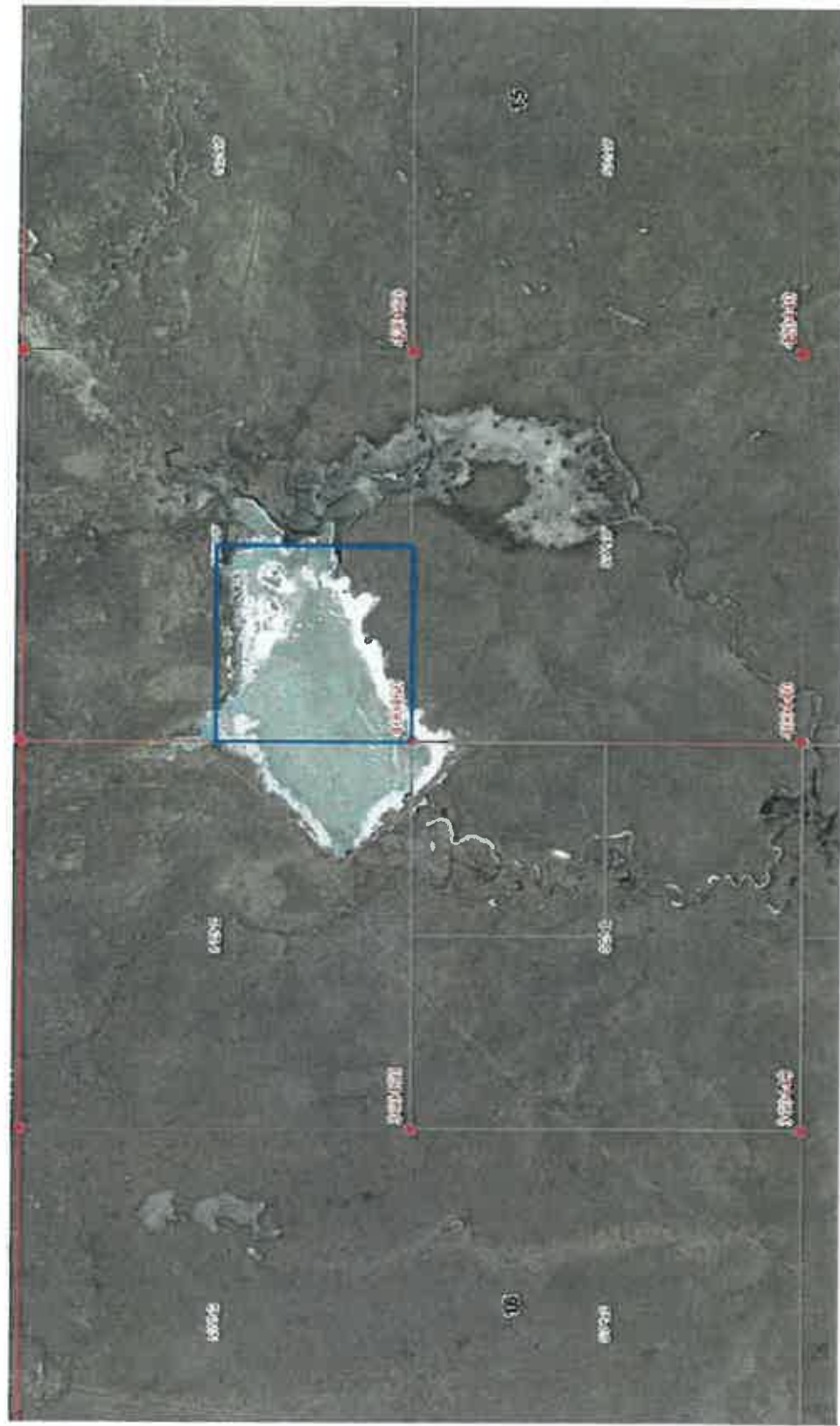


Exhibit 23



Exhibit 24



Exhibit 25



Exhibit 26



Exhibit 28

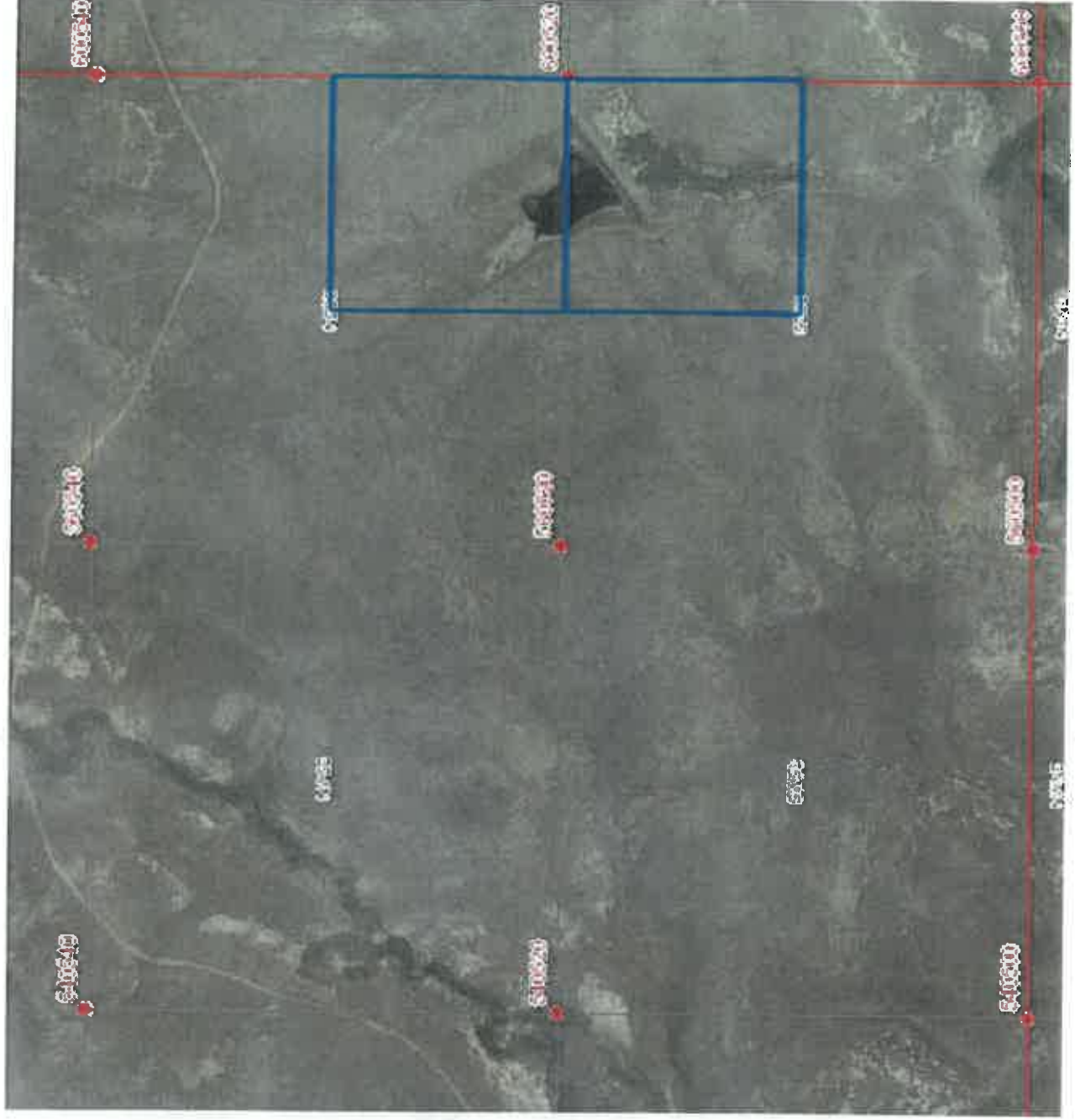


Exhibit 29



Exhibit 30

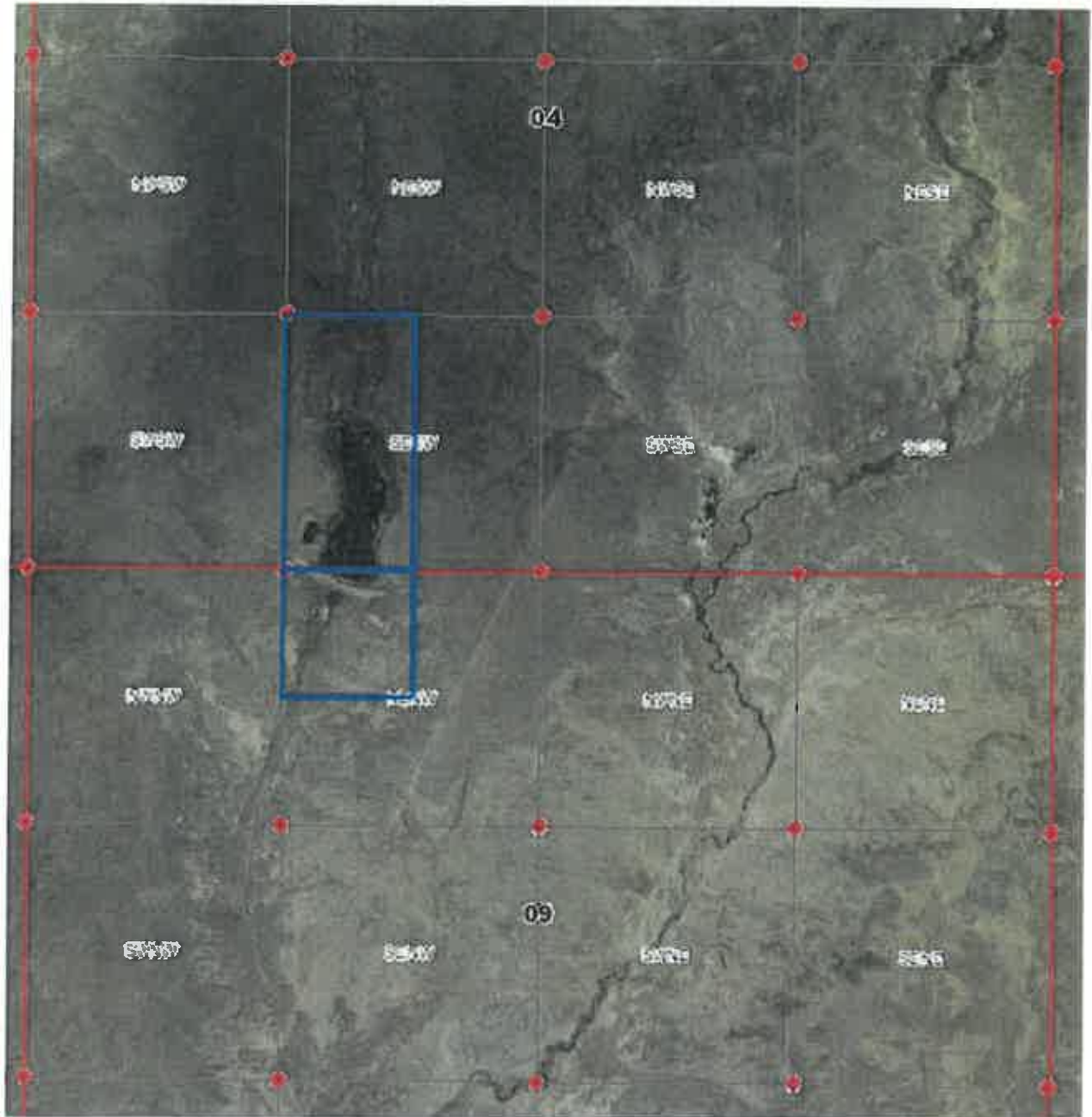


Exhibit 31



Exhibit 32

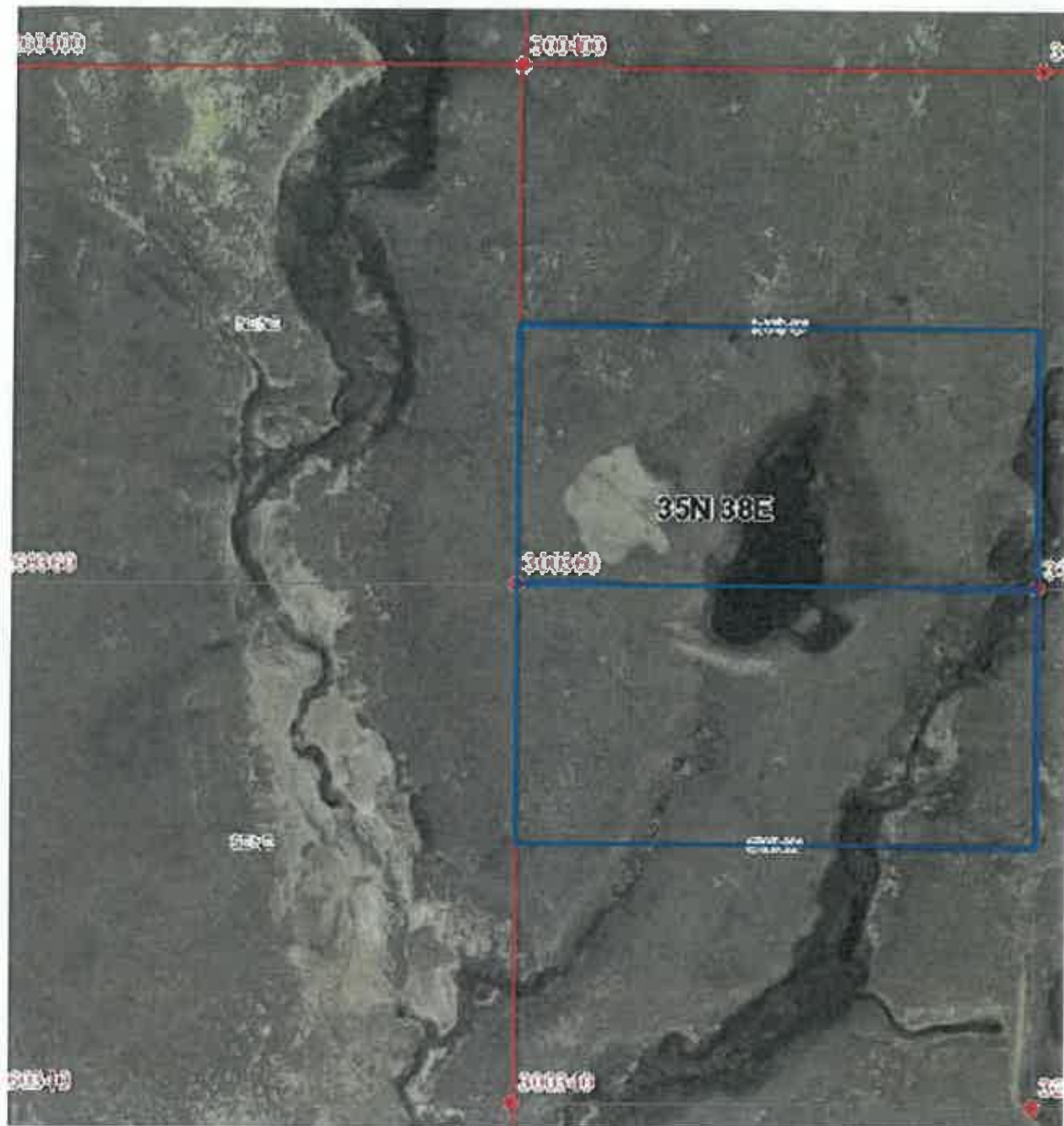


Exhibit 33



Exhibit 34



Exhibit 36



Exhibit 37

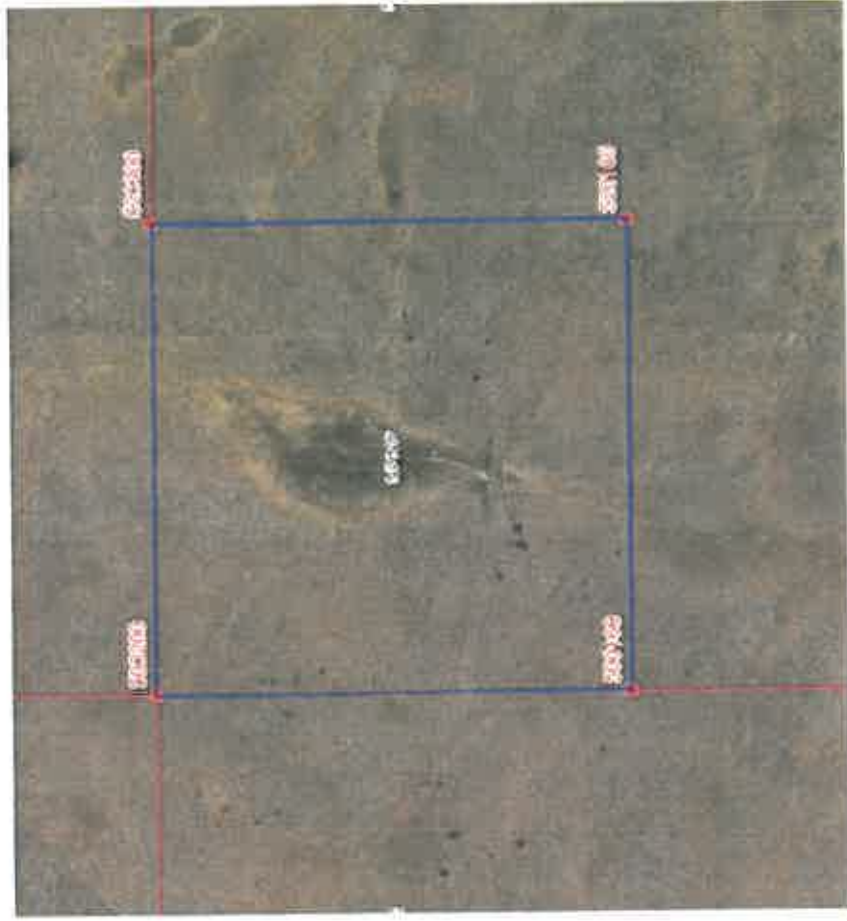


Exhibit 38

40N-0041-R-2021

September 7, 2022

Montana Water Court

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Attorneys for Carroll MT Properties LLC

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

CLAIMANTS: Carroll MT Properties LLC

OBJECTORS: Carroll MT Properties LLC

CASE 40N-0041-R-2021

40N 168283-00	40N 168318-00
40N 168286-00	40N 168333-00
40N 168291-00	40N 168334-00
40N 168292-00	40N 168336-00
40N 168294-00	40N 168340-00
40N 168295-00	40N 168342-00
40N 168296-00	40N 168345-00
40N 168297-00	40N 168349-00
40N 168298-00	40N 168350-00
40N 168301-00	40N 168351-00
40N 168303-00	40N 168353-00
40N 168304-00	40N 168354-00
40N 168307-00	40N 168361-00
40N 168308-00	40N 168364-00
40N 168309-00	40N 168366-00
40N 168310-00	40N 188675-00
40N 168312-00	40N 210853-00
40N 168313-00	

**CLAIMANT/OBJECTOR CARROLL MT PROPERTIES LLC'S SUPPLEMENTAL
 FILING TO RESOLVE OBJECTIONS AND ISSUE REMARKS**

Claimant/Objector Carroll MT Properties LLC ("Carroll"), through its counsel of record, Browning, Kaleczyc, Berry & Hoven, P.C., hereby files its supplemental filing to resolve objections and issue remarks on the above captioned claims.

INTRODUCTION

Carroll filed its Filing of Information to Resolve Objections and Issue Remarks with the

Court on May 2, 2022. On June 3, 2022, the Court issued an order requesting Carroll provide pre-July 1, 1973 imagery to support its revisions to the legal land descriptions associated with the place of use and reservoir record.

As an initial matter, Carroll *withdraws* its objections to place of use and reservoir record in claim 40N 168318-00 as the legal land descriptions were stipulated to in the September 5, 1990 Master's Report as referenced by the Court. Carroll also *withdraws* its objection to the period of use and period of diversion associated with claim 40N 210853-00.

Claims 40N 168286-00, 168291-00, 168292-00, 168294-00, 168295-00, 168296-00, 168297-00, 168298-00, 168301-00, 168304-00, 168308-00, 168309-00, 168310-00, 168312-00, 168313-00, 168333-00, 168334-00, 168336-00, 168340-00, 168342-00, 168345-00, 168349-00, 168350-00, 168351-00, 168353-00, 168354-00, 168361-00, 168364-00, 168366-00, 188675-00

Carroll submits pre-July 1, 1973 imagery and 1974 imagery, as described and accepted in the Court's Order, for the resolution of its objections to the point of diversion, reservoir record, and/or place of use as identified by the Court for the above-listed claims. *See Exhibit 39.*

Claim 40N 168297-00

Carroll agrees with the Court that claim 40N 168297-00 does not extend into the SESW of Section 14, Township 34 North, Range 36 East. Rather, Carroll requests the place of use and reservoir record reflect the entire reservoir, which lies within the SESE, the NESE, and the SENE of Section 14, Township 34 North, Range 36 East. *See Exhibits 39-7 and 39-8* (claim 40N 168297-00 map). The place of use and reservoir record should be corrected to include the preceding legal land descriptions, and an informational remark should be added stating the reservoir extends into the NESE of Section 14, Township 34 North, Range 36 East, Valley County, Montana.

Claim 40N 168312-00

Carroll agrees with the Court that claim 40N 168312-00's legal land description should be revised to the *E2*NWSW of Section, Township 34 North, Range 37 East, not the W2NWSW

of Section 11, Township 34 North, Range 37 East. *See Exhibit 39-15* (claim 40N 168312-00 map).

Claims 40N 168361-00, 168364-00, 168366-00, 188675-00

Carroll has provided pre-July 1, 1973 imagery and 1974 imagery, as described and accepted in the Court's Order reflecting the correct point of diversion, reservoir record, and/or place of use for claims 40N 168361-00, 168364-00, 168366-00, and 188675-00. The imagery, attached as *Exhibits 39-28 through 39-32*, contains the Townships and Ranges identified by the claims per the Court's request to resolve the objections and issue remarks.

DATED this 7th day of September 2022

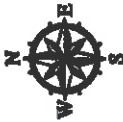
BROWNING, KALECZYC, BERRY & HOVEN, P.C.

By 
W. John Tietz
Hallee C. Frandsen

Attorneys for Carroll MT Properties LLC

40N-0041-R-2021

Valley County, MT



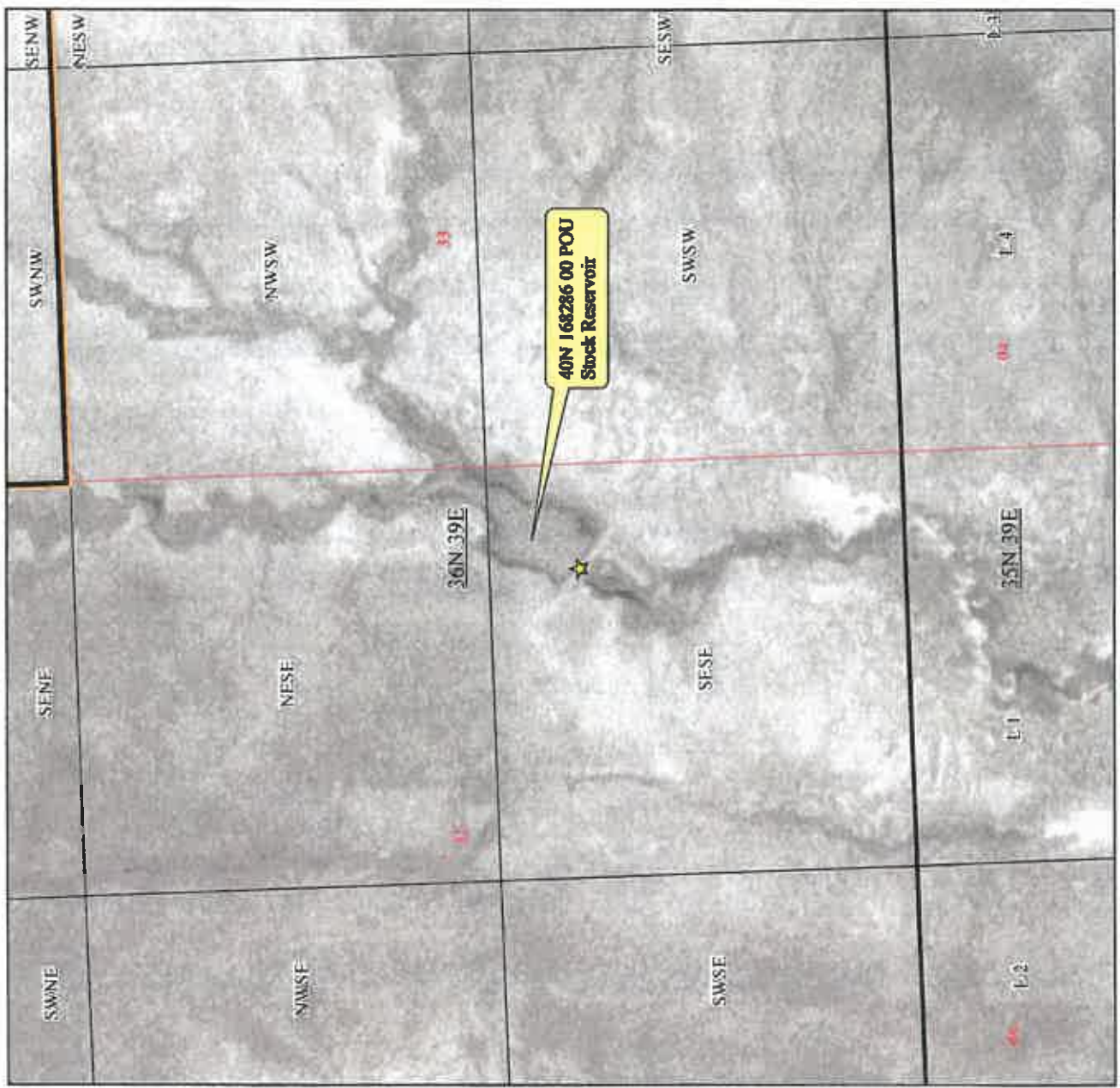
40N 168286 00

-  Carrol MT Properties LLC
-  40N 168286 00 POD (Dam)

Created 08/30/2022
Aerial Imagery: 09/03/1974 USGS



Geographic features displayed on the map have not been surveyed by DMS and should not be construed as surveyed. This map includes publicly available data obtained from third-party sources. DMS makes no warranties as to the accuracy of data obtained from third-party sources.



40N-0041-R-2021

Valley County, MT



40N 168291 00



Carroll MT Properties LLC



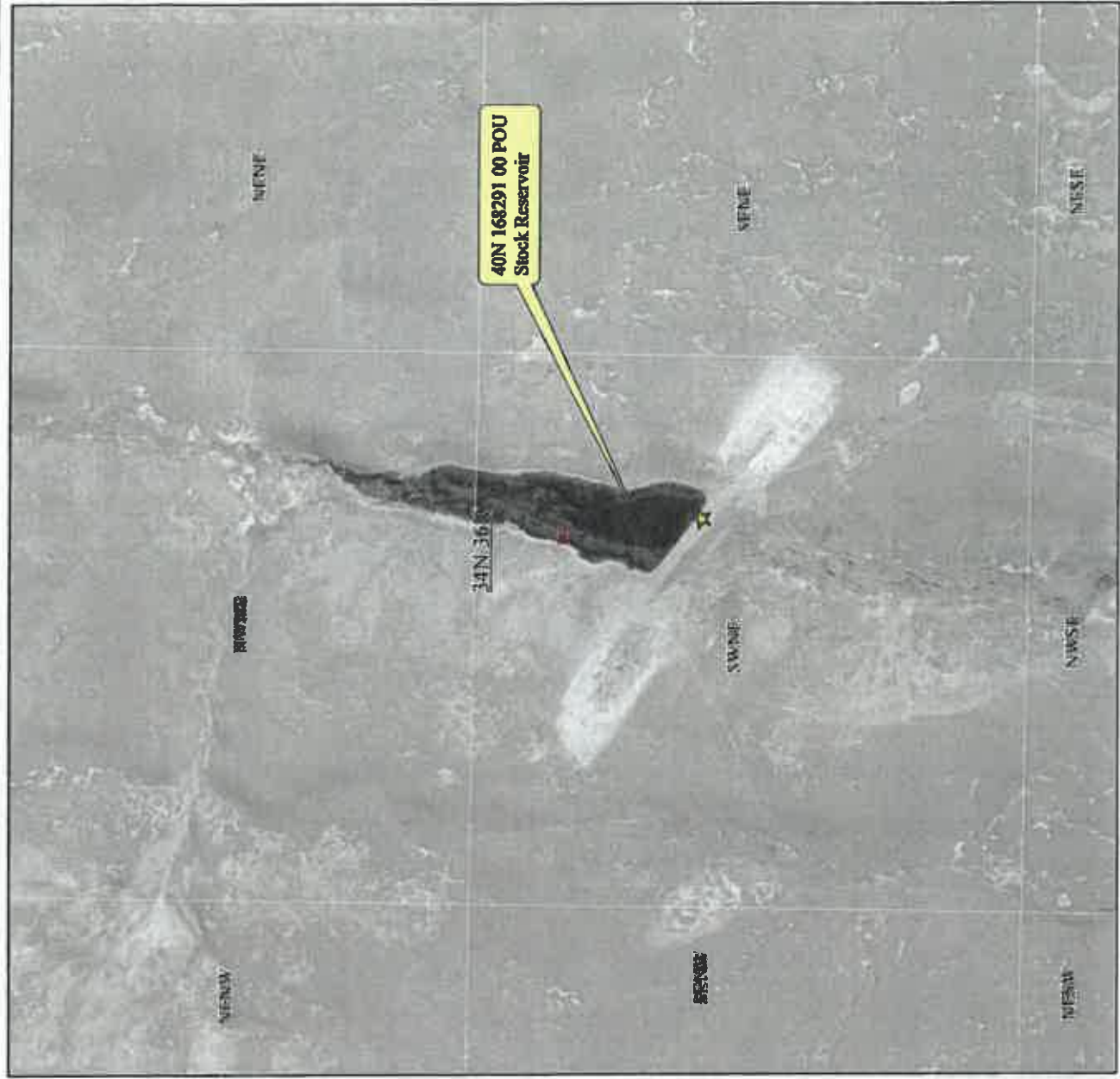
40N 168291 00 POD (Dam)

Created 08/23/2022

Aerial Imagery: USDA 07/30/1959



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40N-0041-R-2021

Valley County, MT



40N 168292 00



Carroll MT Properties LLC



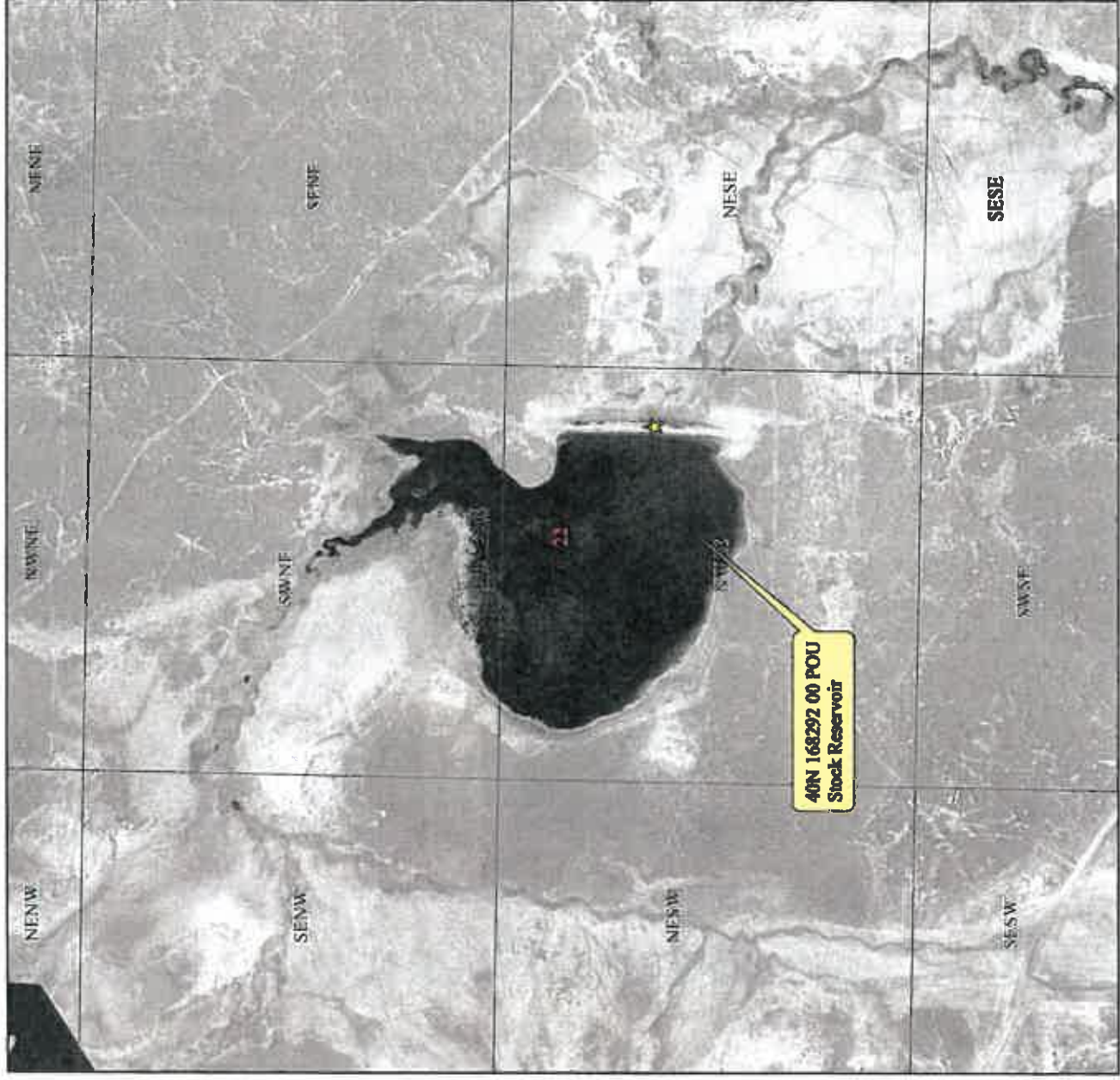
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Created 08/23/2022

Aerial Imagery: USDA 07/30/1959



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40N-0041-R-2021

Valley County, MT



40N 168295 00



Carroll MT Properties LLC



40N 168295 00 POD (Dam)

Created 08/23/2022

Aerial Imagery: USDA 07/30/1959



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40N-0041-R-2021

Valley County, MT



40N 168296 00



Carrol MT Properties LLC



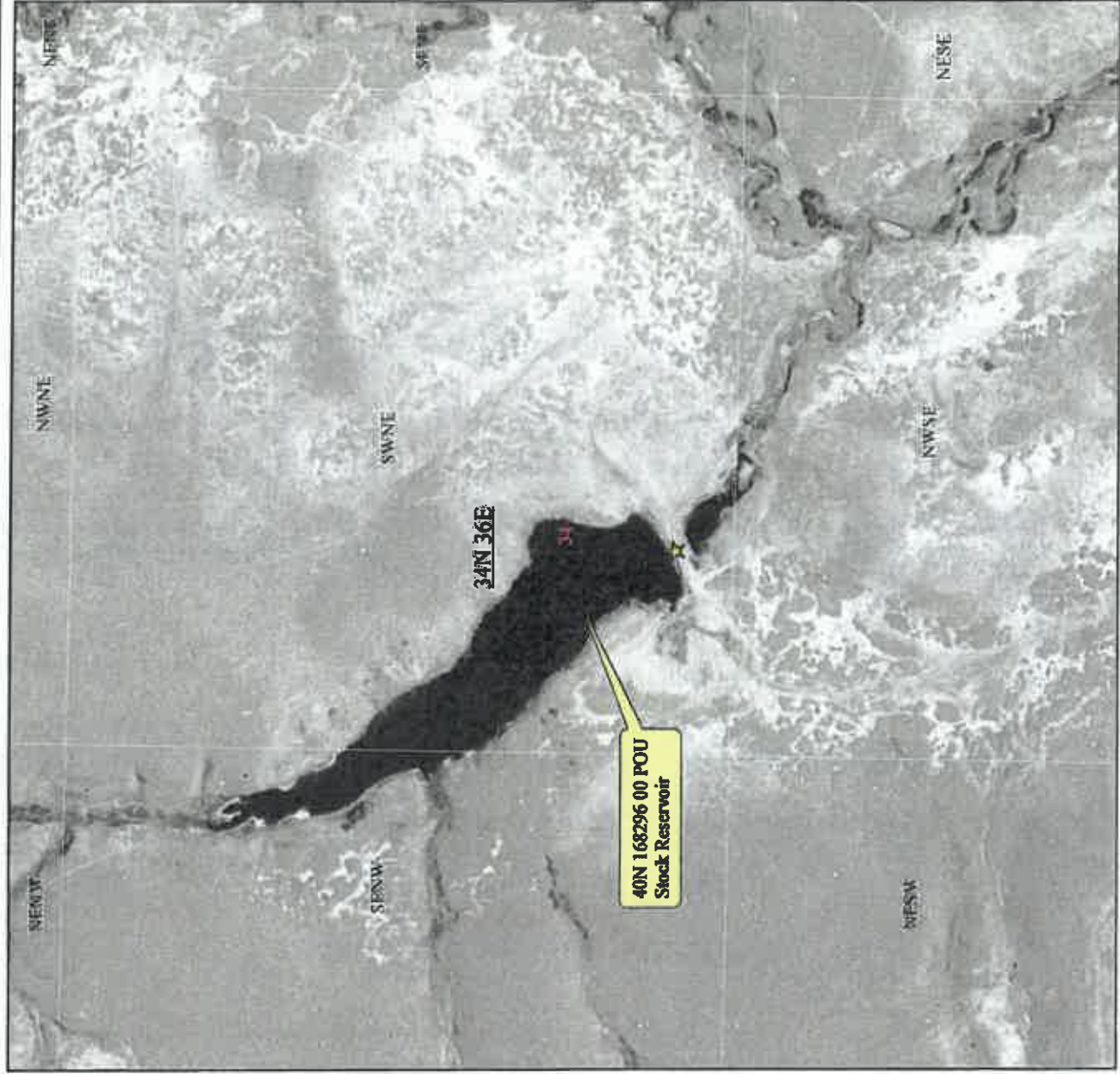
40N 168296 00 POD (Dam)

Created 08/23/2022

Aerial Imagery: USDA 07/30/1959



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40N-0041-R-2021

Valley County, MT



40N 168297 00



Carroll MT Properties LLC



40N 168297 00 POD (Dams)

Created 08/31/2022

Aerial Imagery: USDA 07/30/1959



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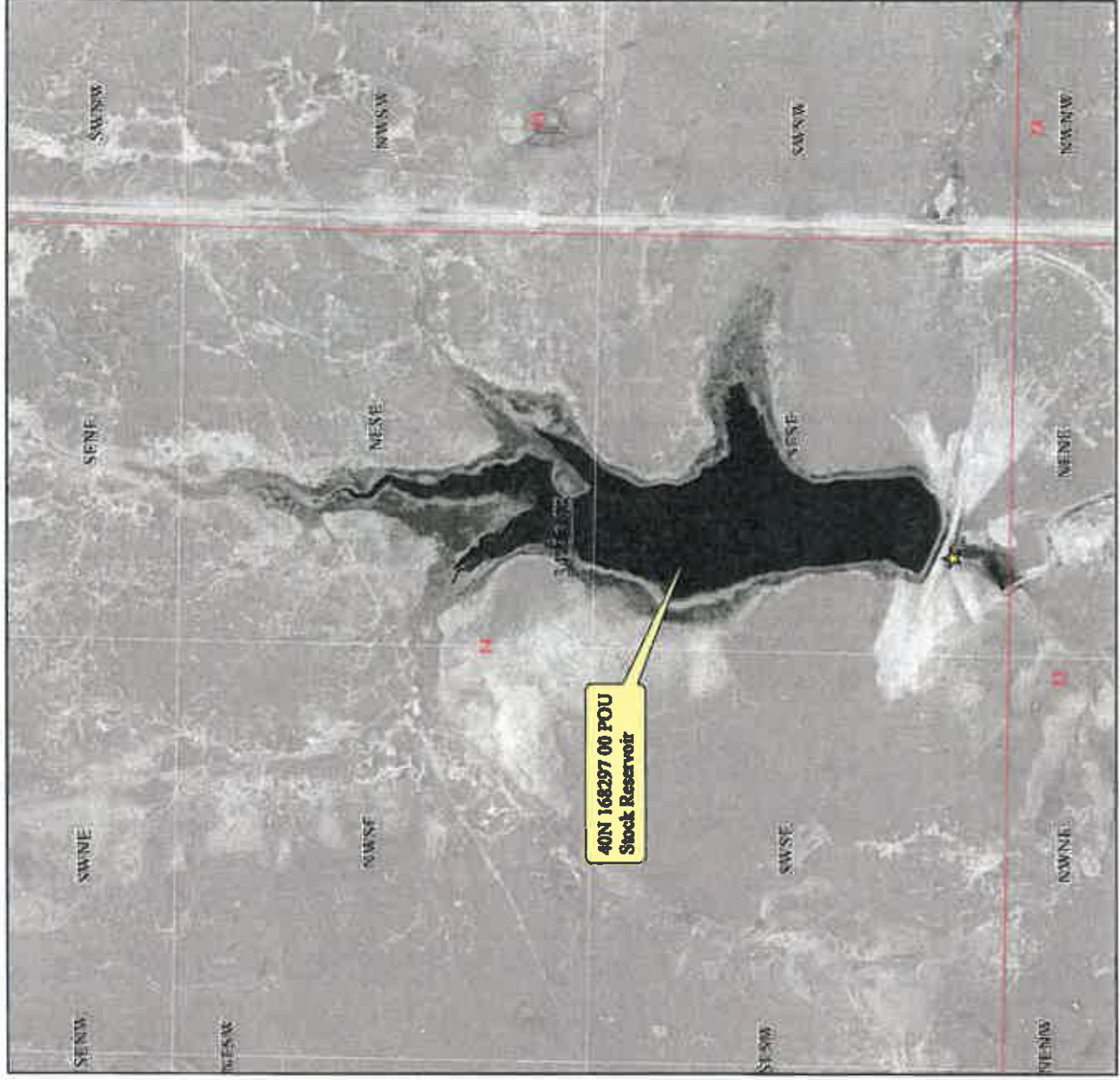


Exhibit 39-8

40N-0041-R-2021

Valley County, MT



40N 168298 00



Carroll MT Properties LLC



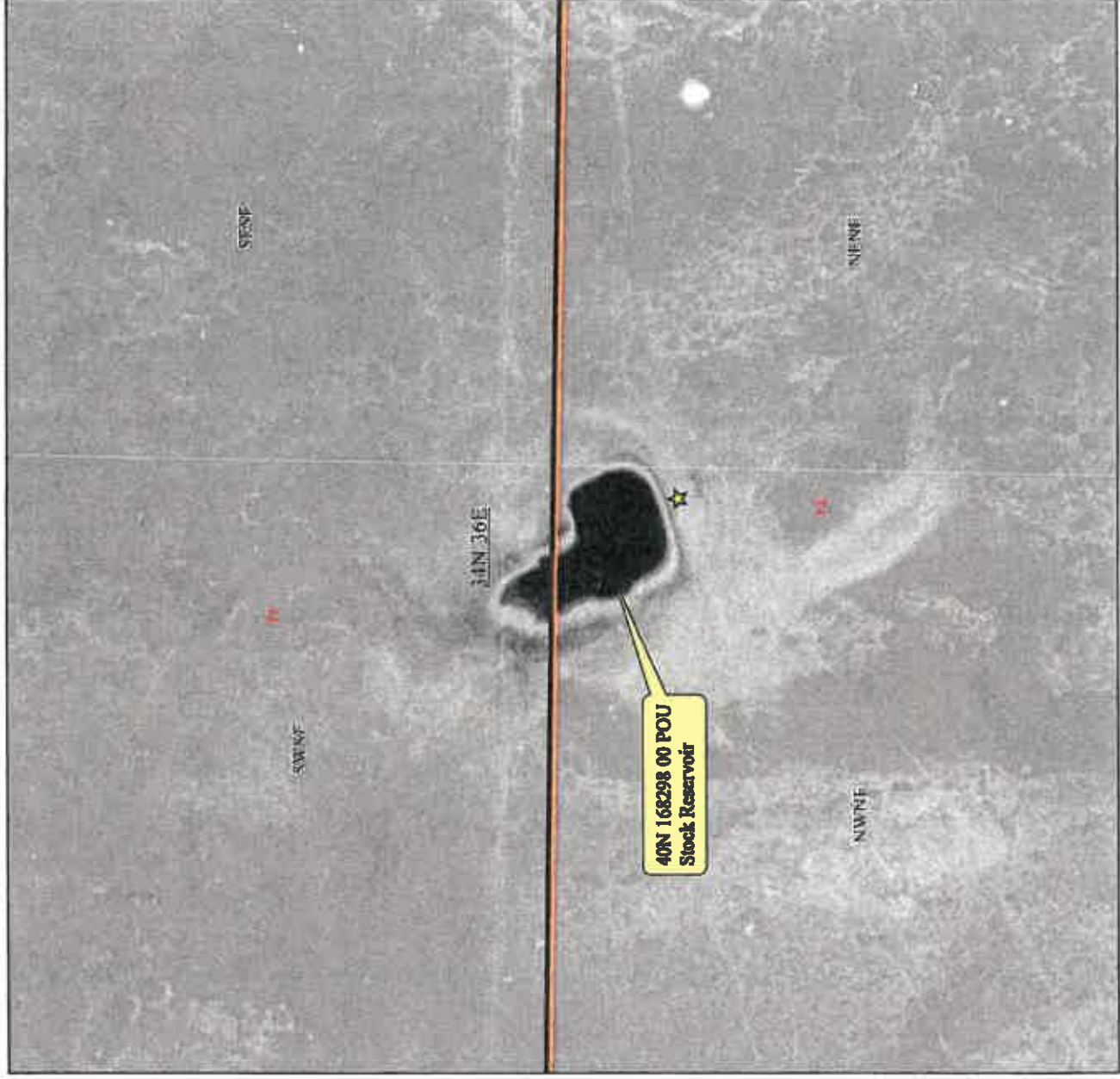
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Created 08/23/2022

Aerial Imagery: USDA 07/30/1959



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40N-0041-R-2021

Valley County, MT



40N 168301 00



Carrol MT Properties LLC

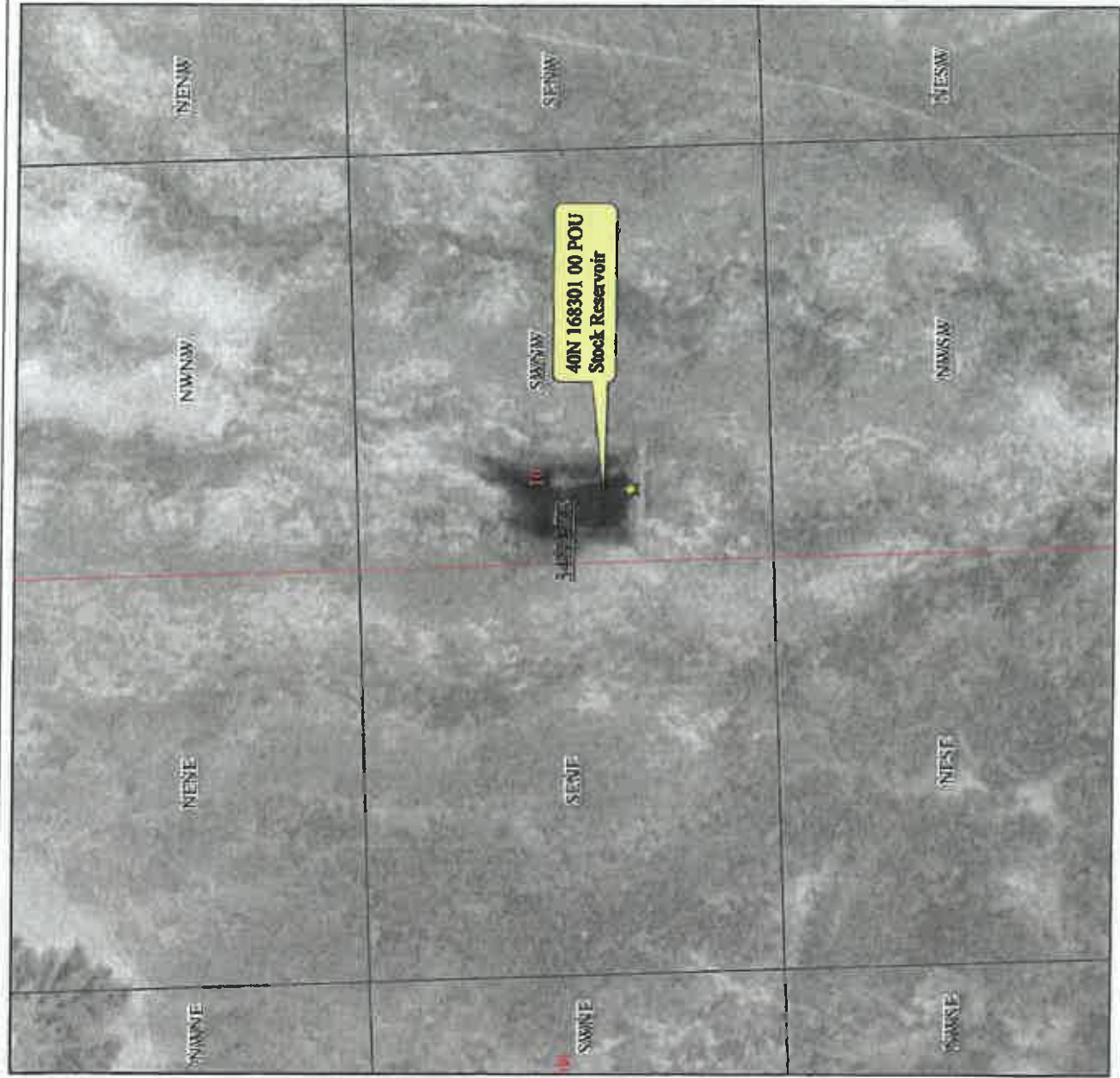


40N 168301 00 POD (Dam)

Created 08/31/2022
Aerial Imagery: 09/03/1974 USGS



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40N-0041-R-2021

Valley County, MT



40N 168304 00



Carroll MT Properties LLC



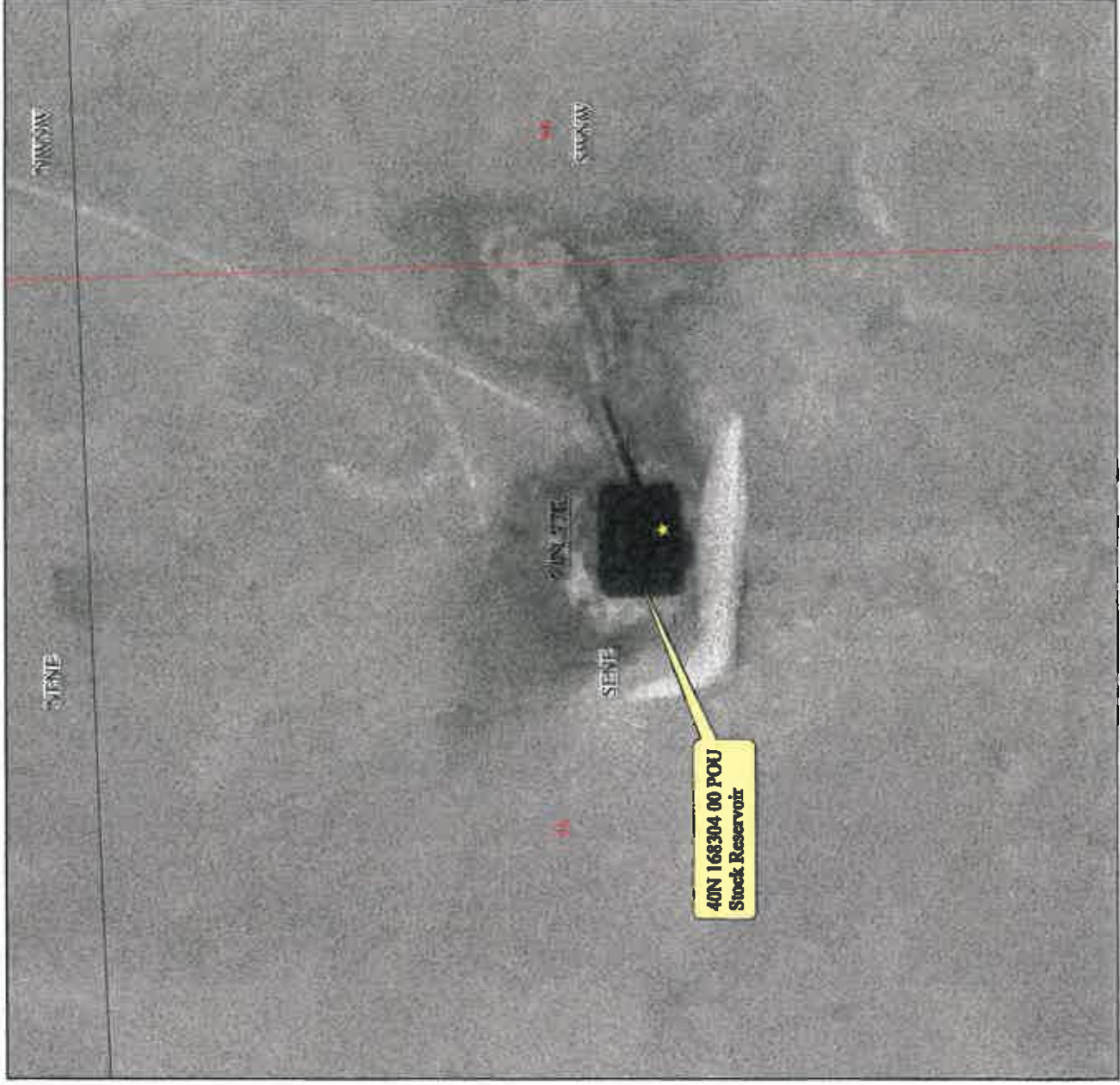
40N 168304 00 POD (Pit)

Created 08/31/2022

Aerial Imagery: 07/25/1974 USGS



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40N-0041-R-2021

Valley County, MT



40N 168309 00

 Carrol MT Properties LLC

☆ 40N 168309 00 POD (Dam)

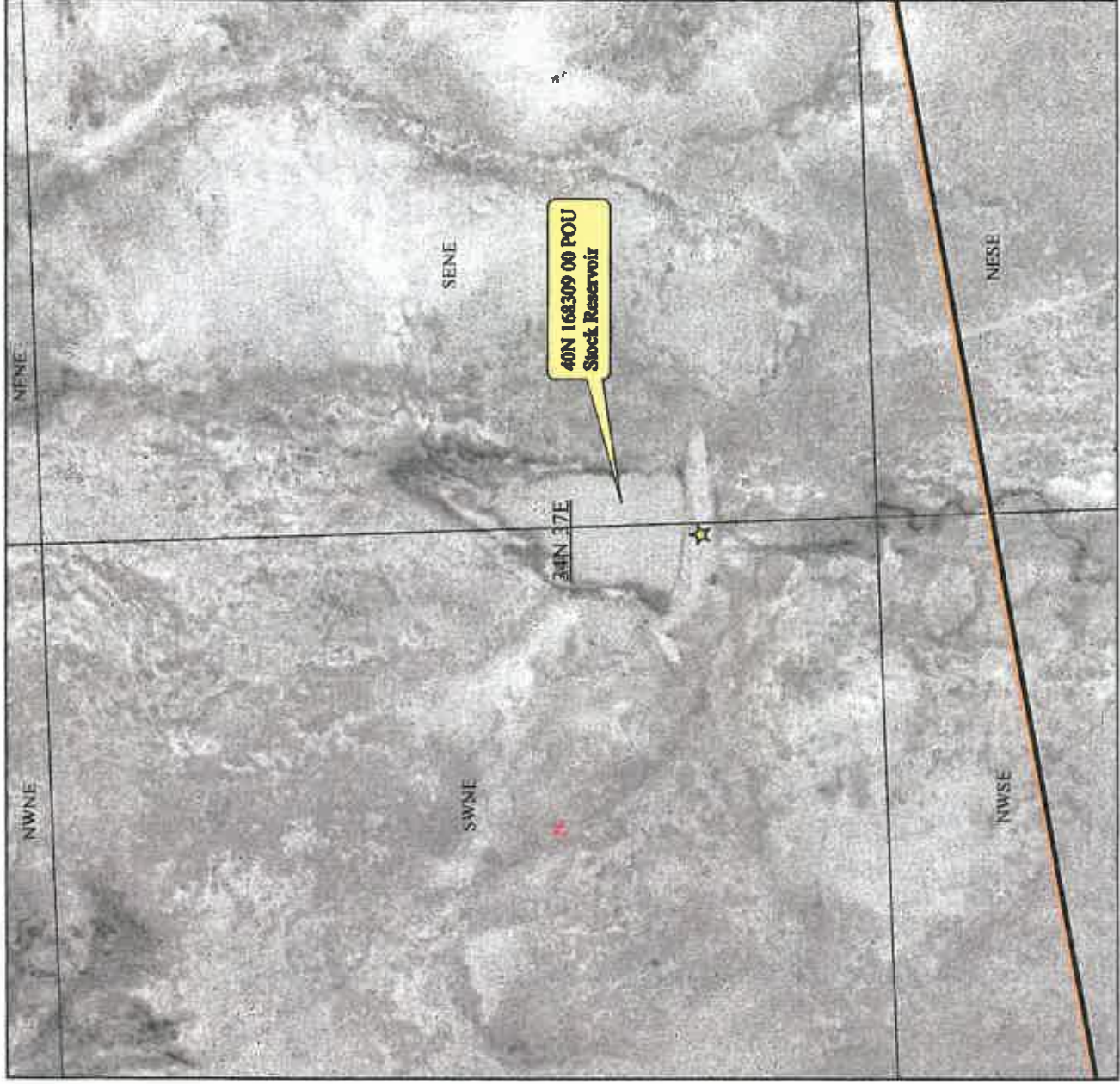
Created 08/31/2022

Aerial Imagery: 07/25/1974 USGS



0 0.035 0.07
Miles

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40N-0041-R-2021

Valley County, MT



40N 168310 00



Carroll MT Properties LLC



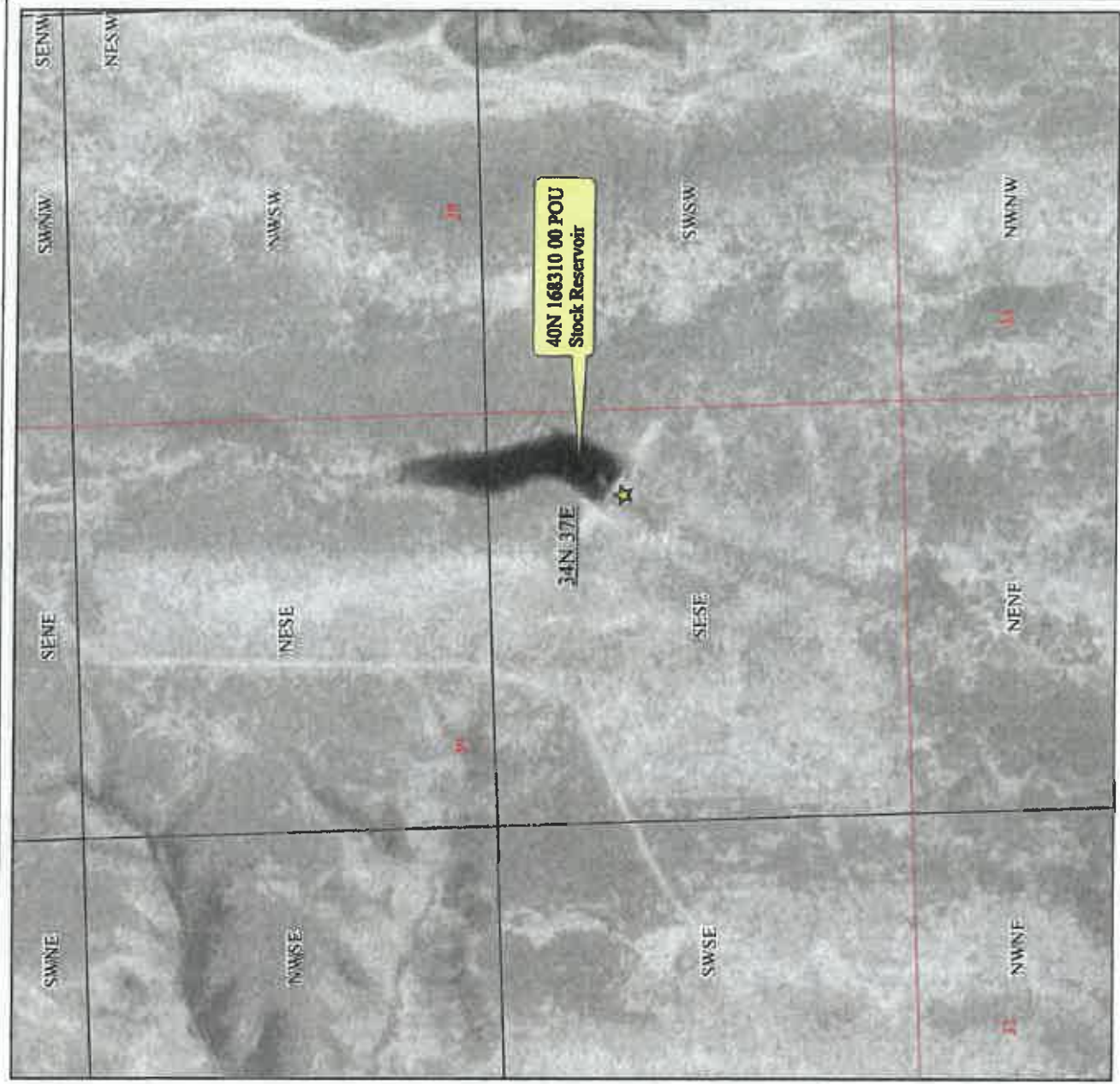
40N 168310 00 POD (Dam)

Created 08/31/2022

Aerial Imagery: 09/03/1974 USGS



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40N-0041-R-2021

Valley County, MT



40N 168313 00



Carrol MT Properties LLC



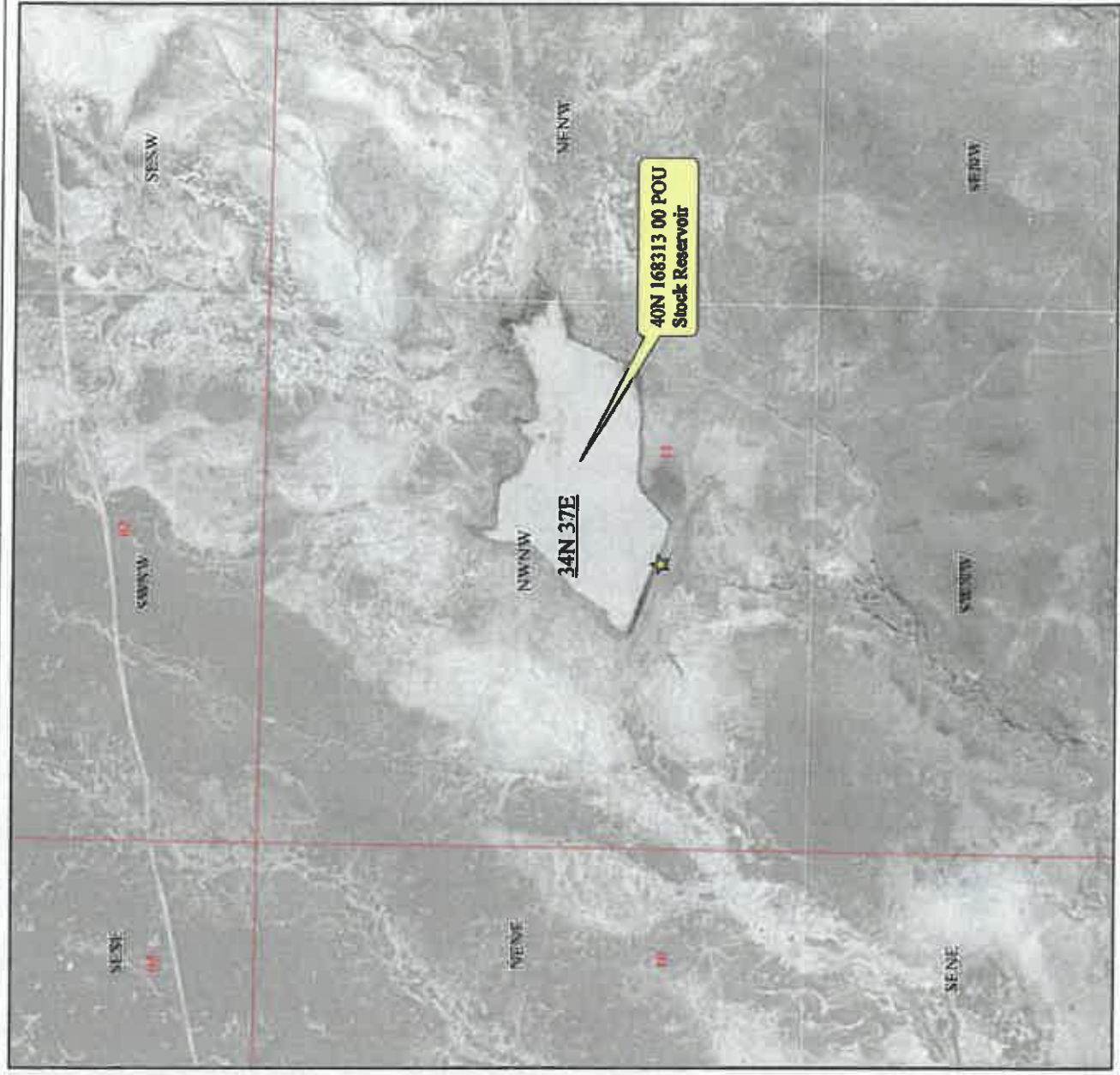
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Created 08/23/2022

Aerial Imagery: USDA 07/30/1959

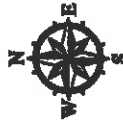


Geographic features displayed on the map have not been surveyed by DMS and should not be construed as surveyed. This map includes publicly available data obtained from third-party sources. DMS makes no warranties as to the accuracy of data obtained from third-party sources.



40N-0041-R-2021

Valley County, MT



40N 168333 00



Carroll MT Properties LLC



40N 168333 00 POD (Dam)

Created 08/31/2022

Aerial Imagery: 09/03/1974 USGS



0 0.075 0.15
Miles

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40N-0041-R-2021

Valley County, MT



40N 168336 00



Carroll MT Properties LLC



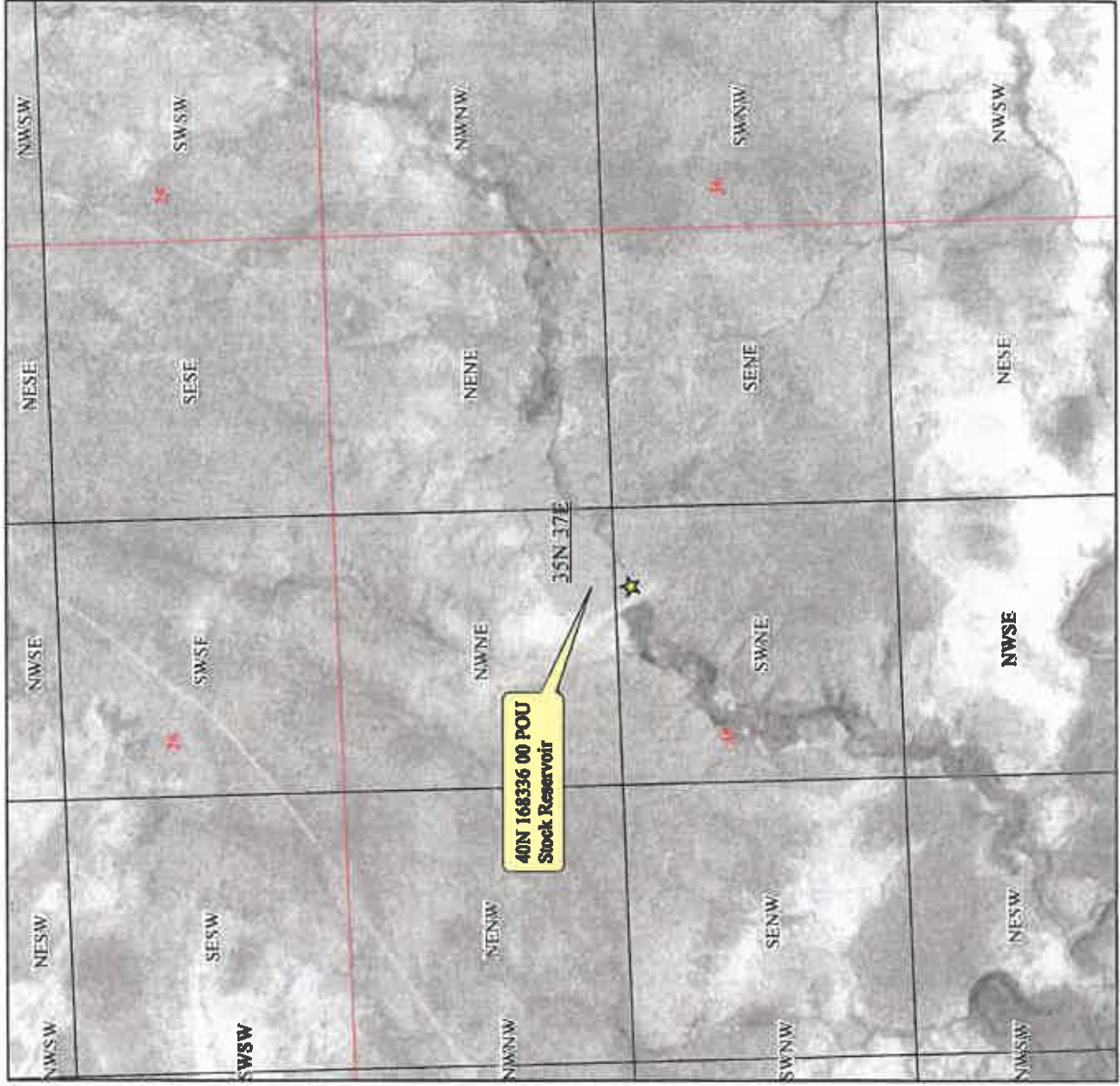
40N 168336 00 POD (Dam)

Created 08/31/2022

Aerial Imagery: 09/03/1974 USGS



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40N-0041-R-2021

Valley County, MT



40N 168340 00



Carol MT Properties LLC



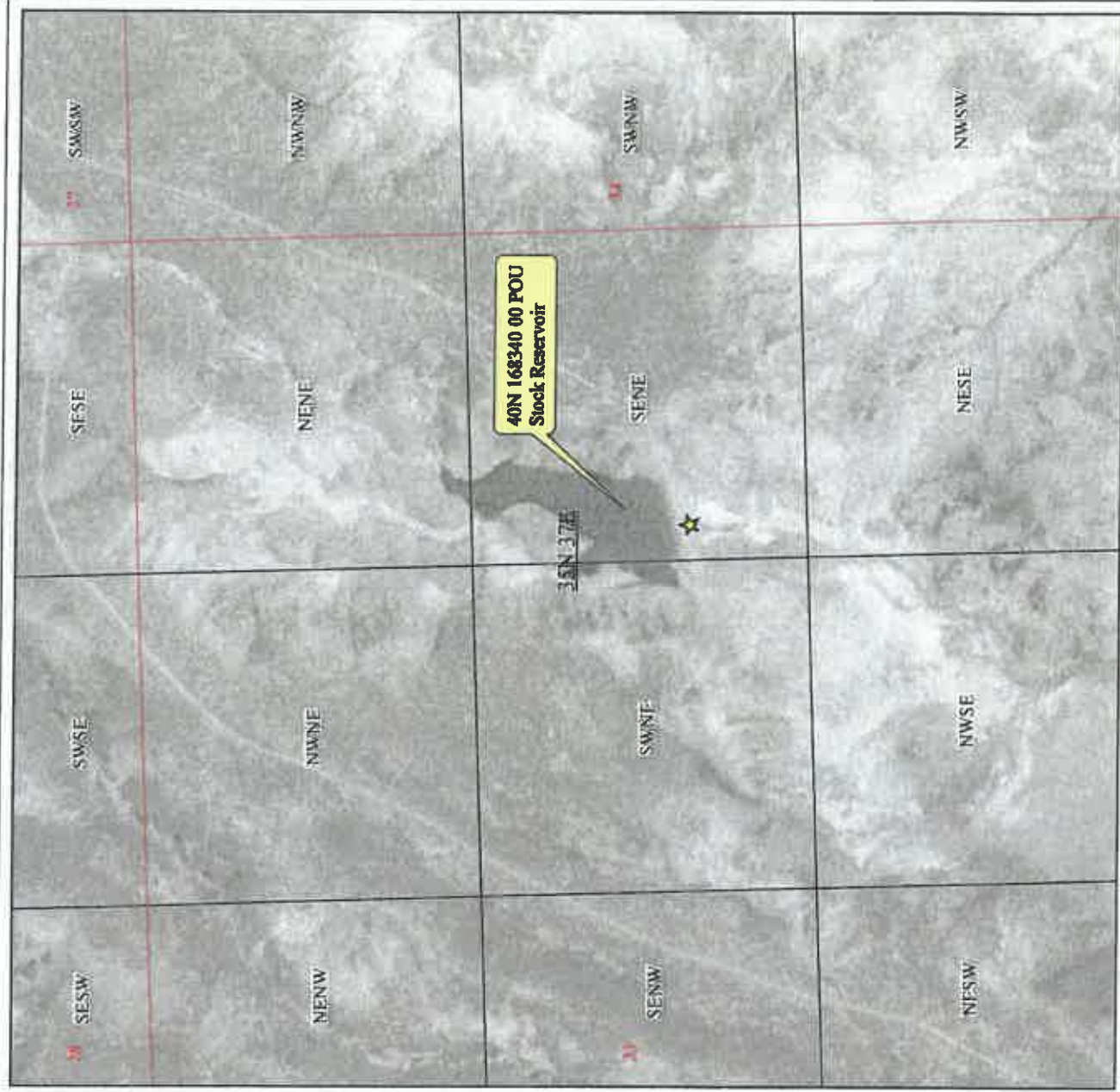
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Created 08/31/2022

Aerial Imagery: 09/03/1974 USGS



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40N-0041-R-2021

Valley County, MT



40N 168342 00



Carroll MT Properties LLC



40N 168342 00 POD (Dam)

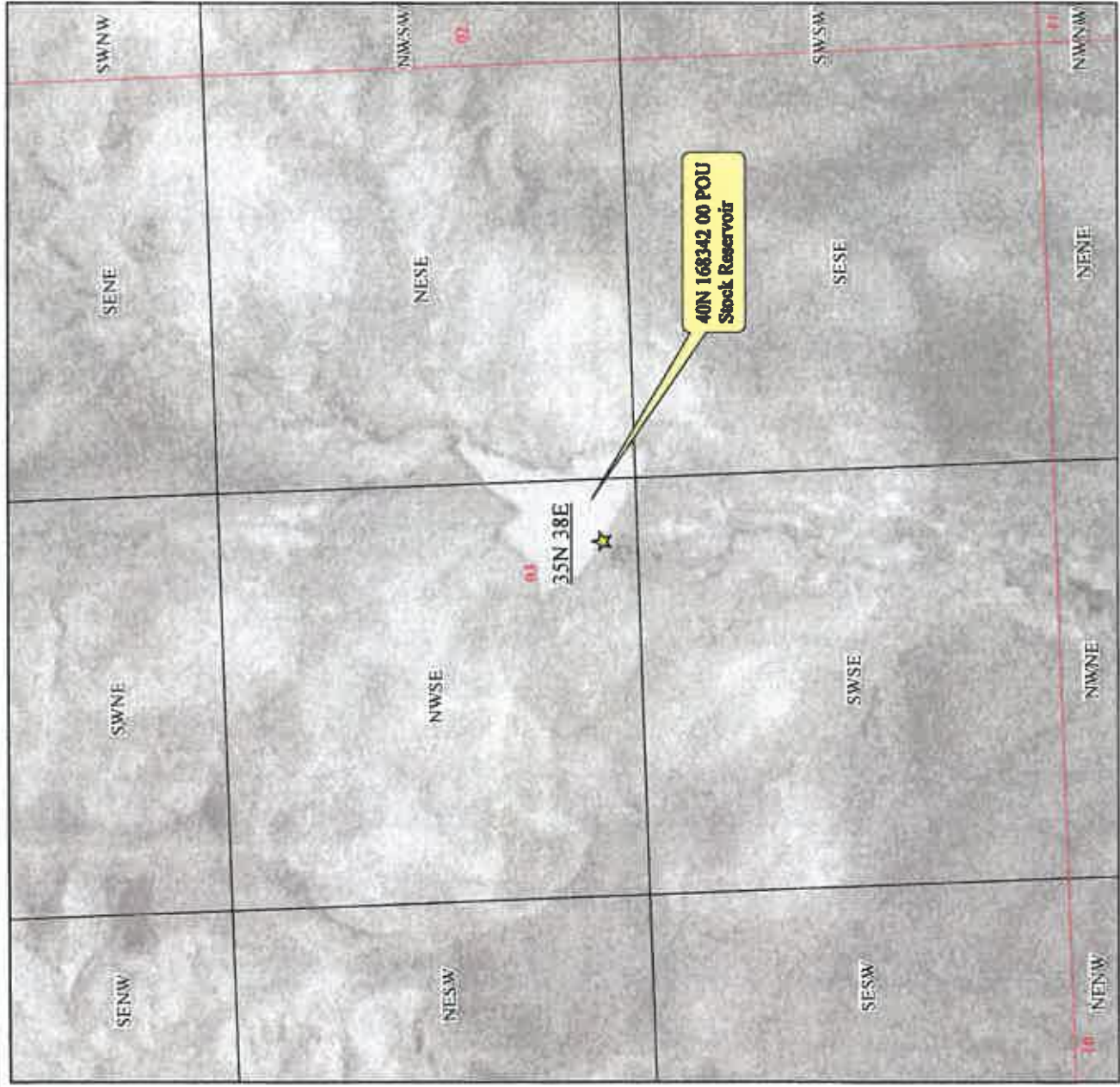
Created 08/30/2022

Aerial Imagery: 09/03/1974 USGS



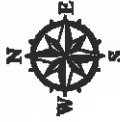
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Geographic features displayed on the map have not been surveyed by DMS and should not be construed as surveyed. This map includes publicly available data obtained from third-party sources. DMS makes no warranties as to the accuracy of data obtained from third-party sources.



40N-0041-R-2021

Valley County, MT



40N 168345 00



Carrol MT Properties LLC



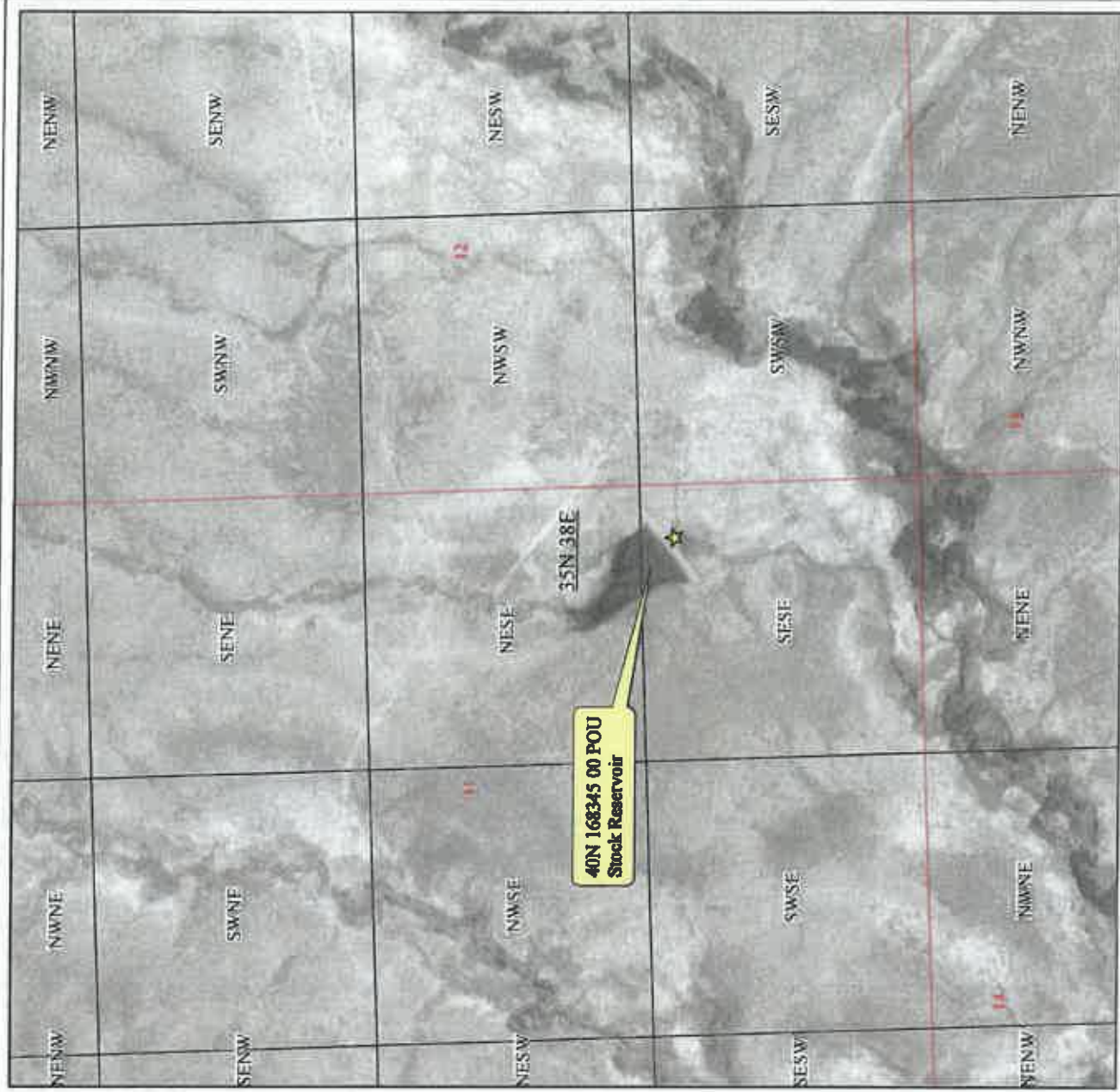
40N 168345 00 POD (Dam)

Created 08/31/2022

Aerial Imagery: 09/03/1974 USGS



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40N-0041-R-2021

Valley County, MT



40N 168349 00



Carroll MT Properties L.L.C



40N 168349 00 POID (Dam)

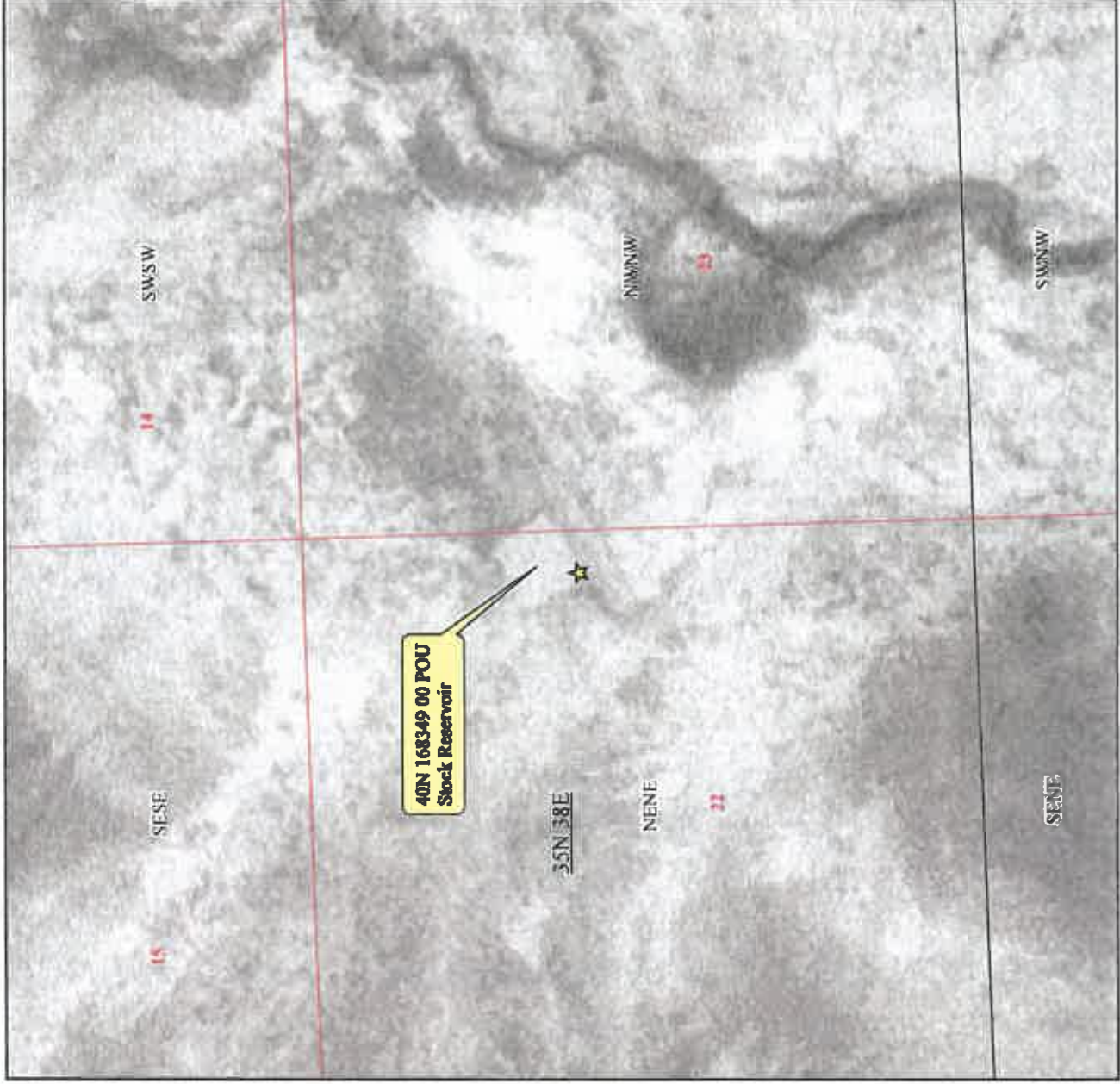
Created 08/31/2022

Aerial Imagery: 09/03/1974 USGS



0 0.0425 0.085
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40N-0041-R-2021

Valley County, MT



40N 168350 00

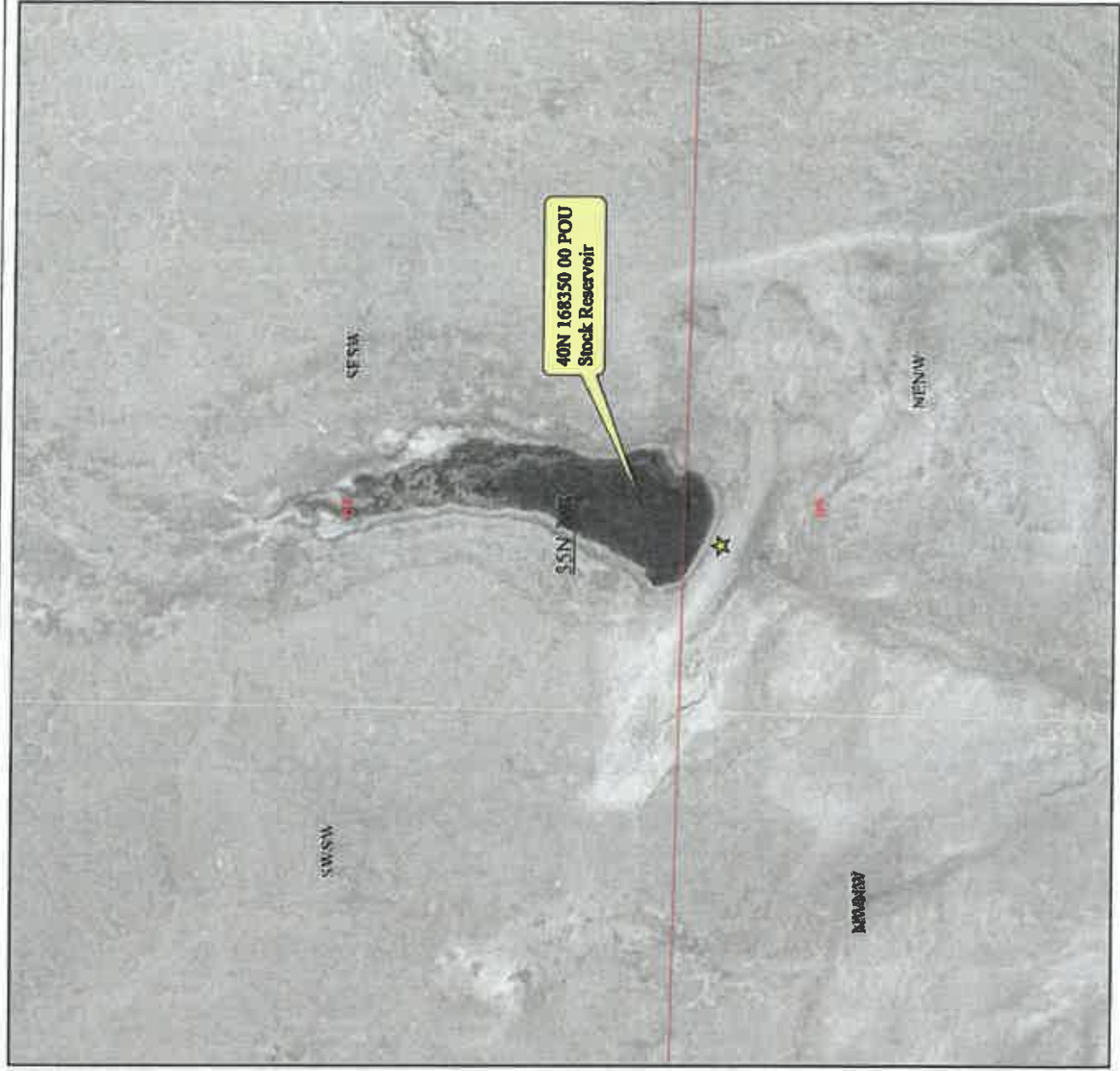
★ **40N 168350 00 POD (Dam)**

Created 08/19/2022

Aerial Imagery: USDA 07/30/1959



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40N-0041-R-2021

Valley County, MT



40N 168351 00



Carroll MT Properties LLC



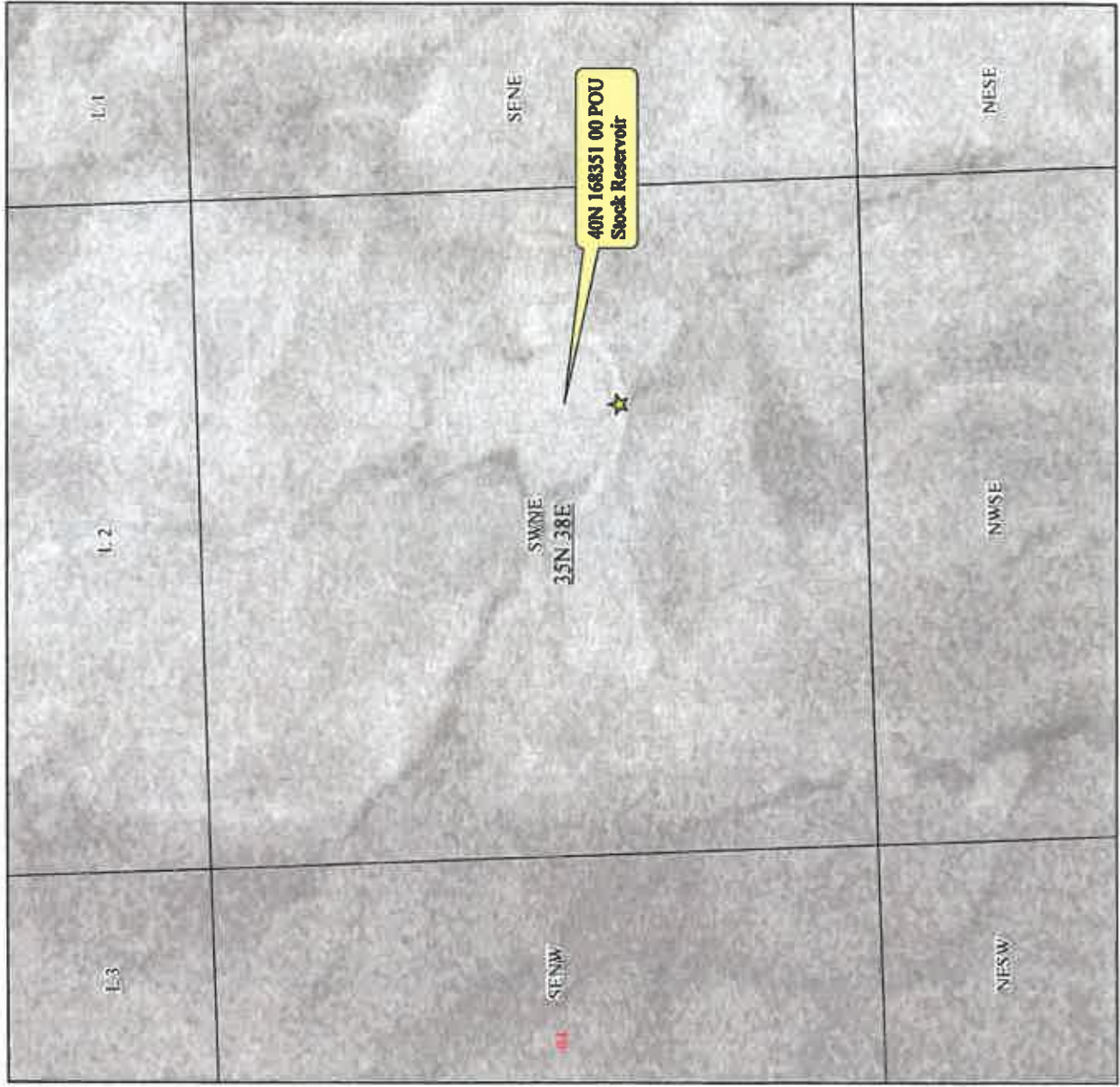
40N 168351 00 POD (Dam)

Created 08/31/2022

Aerial Imagery: 09/03/1974 USGS



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40N-0041-R-2021

Valley County, MT



40N 168353 00

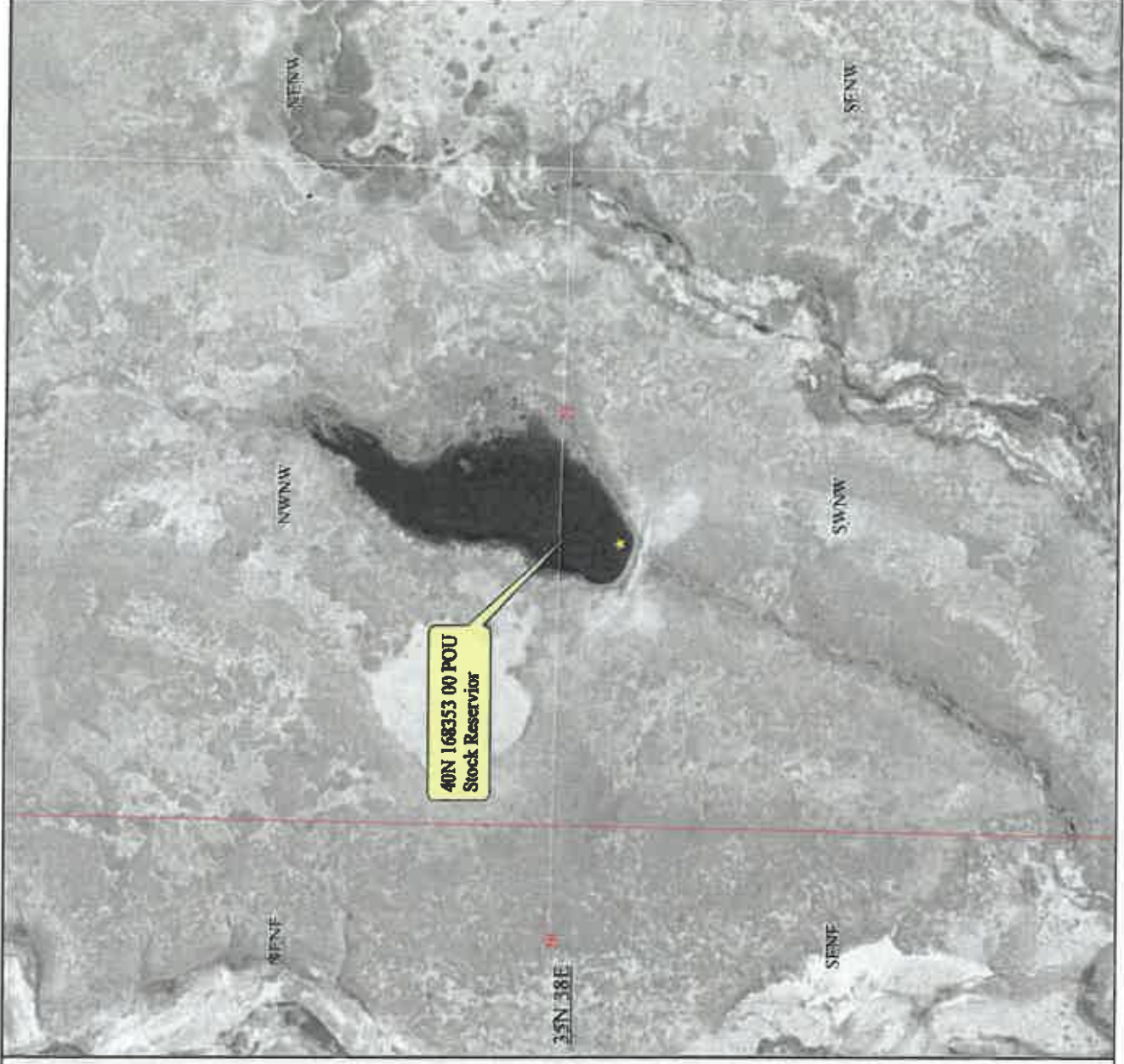
★ 40N 168353 00 POD (Dam)

Created 08/31/2022

Aerial Imagery: USDA 07/30/1999



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40N-0041-R-2021

Valley County, MT



40N 168354 00



Carroll MT Properties LLC



40N 168354 00 POD (Dam)

Created 08/31/2022

Aerial Imagery: 09/03/1974 USGS



0 0.075 0.15
Miles

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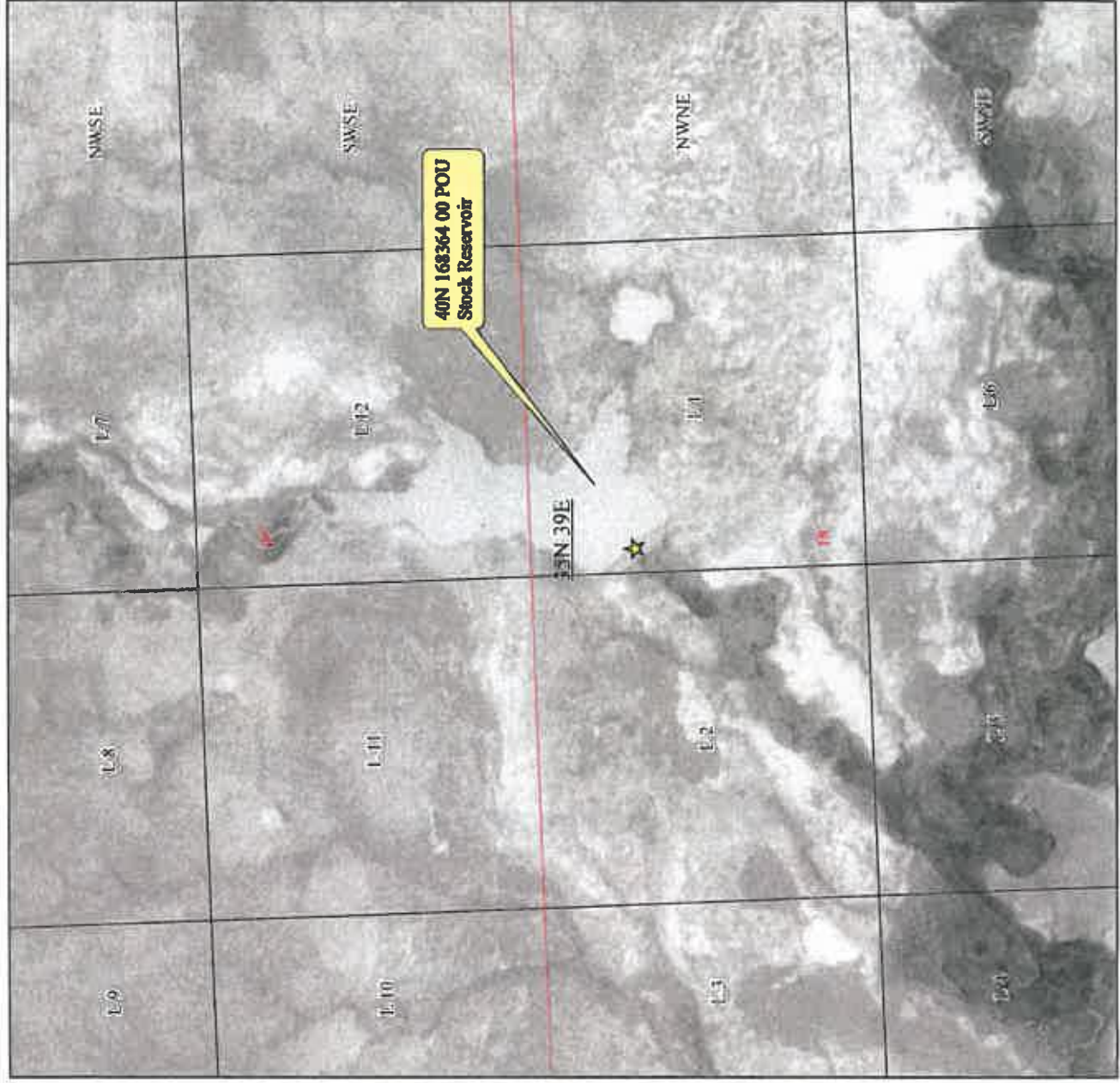
40N 168364 00

Carroll MT Properties LLC
40N 168364 00 POD (Darm)

Created 08/31/2022
Aerial Imagery: 09/03/1974 USGS



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40N-0041-R-2021

Valley County, MT



40N 168366 00



Carroll MT Properties LLC



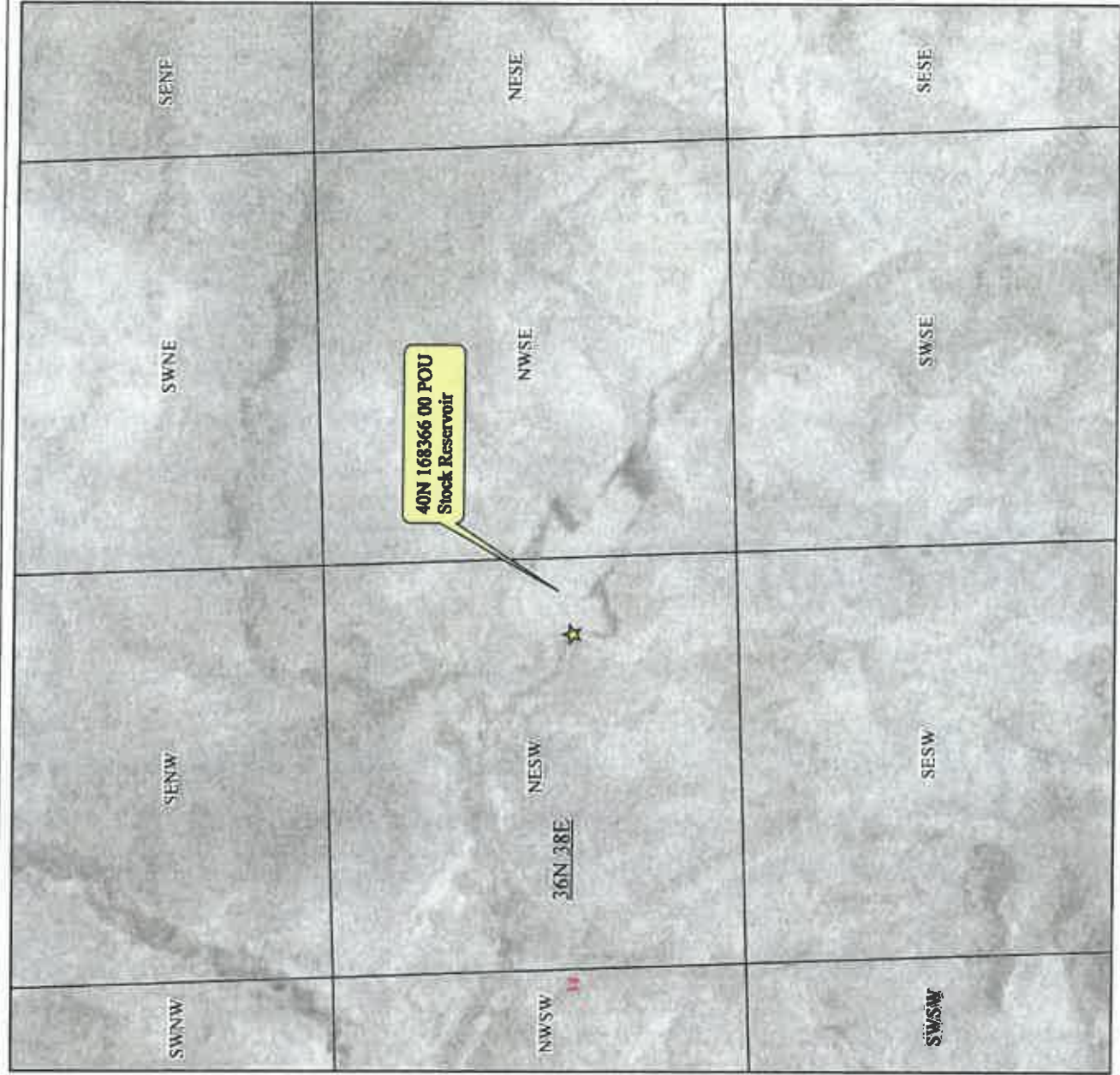
40N 168366 00 POD (Dam)

Created 08/31/2022

Aerial Imagery: 09/03/1974 USGS



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40N-0041-R-2021

Valley County, MT



40N 188675 00



Carol MT Properties LLC



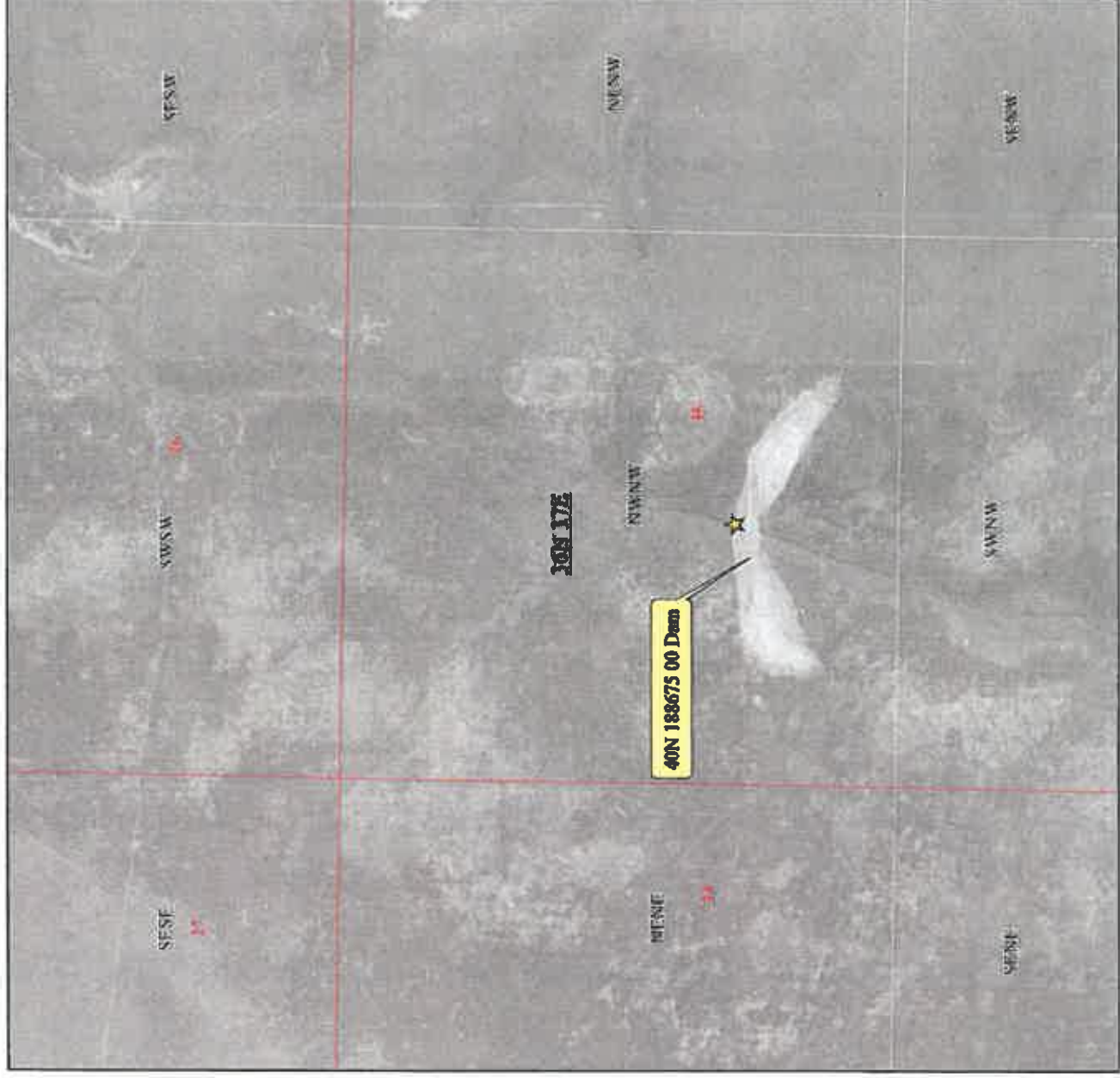
40N 188675 00 POD (Dam)

Created 08/23/2022

Aerial Imagery: USGS 07/30/1959



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40N-0041-R-2021

Valley County, MT



40N 188675 00



Carol MT Properties LLC



40N 188675 00 POD (Dam)

Created 08/23/2022

Aerial Imagery: NAIP 2019



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