

43A-0319-R-2021

November 28, 2022

Montana Water Court

IN THE WATER COURT OF THE STATE OF MONTANA
YELLOWSTONE DIVISION
SHIELDS RIVER BASIN 43A
PRELIMINARY DECREE

* * * * *

CLAIMANTS: Robinson Ranch, Inc.; Behnam-Gamble Trust;
Rockin PB Ranch, LLC

NOTICES OF INTENT TO APPEAR: Pamela B Cooper; Robert
Richard Waddell; Behnam-Gamble Trust

CASE: 43A-0319-R-2021

43A 191929-00

43A 191930-00

43A 191931-00

43A 191932-00

43A 191933-00

MASTER'S REPORT

FINDINGS OF FACT

1. The record owners of claims 43A 191929-00, 43A 191930-00, 43A 191931-00, and 43A 191932-00 are the Behnam-Gamble Trust (the Trust), Robinson Ranch, Inc. (Robinson), and Rocking PB Ranch, LLC (Rocking PB). The Trust and Robinson are the record co-owners of claim 43A 191933-00.

2. The claims were decreed with DNRC issue remarks:

Claims 43A 191929-00, 43A 191930-00, 43A 191931-00, and 43A 191932-00:

POINT OF DIVERSION AND DITCH NAME 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.

THIS CLAIM APPEARS TO DIVERT WATER FROM TWO SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

Claim 43A 191933-00:

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

DITCH NAME 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.

THE GALLATIN COUNTY WATER RESOURCES SURVEY (1953) APPEARS TO INDICATE 178.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

3. Pamela B. Cooper (Cooper) and Robert Richard Waddell (Waddell) filed Notices of Intent to Appear for claims 43A 191929-00, 43A 191930-00, and 43A 191931-00. Cooper, Waddell, and the Trust filed Notices of Intent to Appear for claim 43A 191932-00. And Waddell filed a Notice of Intent to Appear for claim 43A 191933-000.

4. A Scheduling Order was issued on April 8, 2022.

5. On October 13, 2022, the Trust filed a Motion for Summary Judgment (Motion for Summary Judgment).

The Motion for Summary Judgment moved for Summary Judgment that the multiple source issue remark decreed on claims 43A 191929-00, 43A 191930-00, 43A 191931-00, and 43A 191932-00 be removed on the grounds that the DNRC “improperly and unjustifiably” added Green Canyon Creek as a second source to the claims. According to the Motion for Summary Judgment, the only source for claims 43A 191929-00, 43A 191930-00, 43A 191931-00, and 43A 191932-00 should be Cache Creek (claimed as the South Fork of Flathead Creek).

The Motion for Summary Judgment argued that claims 43A 191929-00, 43A 191930-00, 43A 191931-00, and 43A 191932-00 claimed Cache Creek as the only source and the DNRC failed to provide any evidence substantiating the addition of Green Canyon Creek as a second primary source on the claims:

Nonetheless, after DNRC unilaterally and erroneously added the second source, it proceeded to place an issue remark on each of the claims questioning the diversion of water from multiple sources. This issue remark was placed on the claims even though neither the claimants nor its predecessors ever claimed two sources of supply.

Behnam-Gamble Trust’s Brief in Support of Motion for Summary Judgement, October 13, 2022, p. 7.

The Trust explains that claims 43A 191929-00, 43A 191930-00, 43A 191931-00, and 43A 191932-00 use Green Canyon Creek as a natural carrier of water diverted from Cache Creek. The Trust argues the points of diversion on claims 43A 191929-00, 43A

191930-00, 43A 191931-00, and 43A 191932-00 showing Green Canyon Creek should be labeled as secondary points of diversion.

Additionally, the Motion for Summary Judgment moved for Summary Judgment regarding the irrigated acres/place of use issue remark and the corresponding flow rate remark decreed on claim 43A 191933-00 because “there is no issue of material fact regarding the correct number of acres historically irrigated.”

6. On October 13, 2022, the Trust filed a Motion to Stay Schedule in this Case because the issues presented in the Motion for Summary Judgment are dispositive as to all issues in the Case.

7. On October 19, 2022, Robinson Ranch joined the Motion for Summary Judgment and Motion to Stay the Scheduling Order.

8. On November 2, 2022, Waddell, Robinson Ranch, and the Trust filed a Settlement Agreement (Settlement Agreement); a copy is attached. The Settlement Agreement indicated Waddell agrees his Notice of Intent to Appear concerns are resolved if the claims in this Case appear in the final decree, with the following exceptions:

- The points of diversion out of Green Canyon Creek for claims 43A 191929-00, 43A 191930-00, 43A 191931-00, and 43A 191932-00 are reflected as secondary points of diversion on the abstracts.
- The following modification should be made to the place of use for claim 43A 191933-00:

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	38.00 40.00		NENE	35	3N	7E	GALLATIN
2	22.00 25.00		NWNE	35	3N	7E	GALLATIN
3	18.00 20.00		SWNE	35	3N	7E	GALLATIN
4	14.00 15.00		SENE	35	3N	7E	GALLATIN
5	14.00 20.00		NENW	35	3N	7E	GALLATIN
6	18.00 25.00		SENW	35	3N	7E	GALLATIN
7	14.00 25.00		NESW	35	3N	7E	GALLATIN
8	2.00		NWSW	35	3N	7E	GALLATIN
9	28.00 28.00		SWSW	35	3N	7E	GALLATIN
10	1.00		NWSE	35	3N	7E	GALLATIN
Total:		211.00 168.00					

- The claims may be split.
- Other elements of the claims may be reduced in the final decree.

9. On November 2, 2022, Waddell withdrew the Notices of Intent to Appear filed for the claims in this Case.

10. On November 3, 2022, Cooper and Rockin' PB Ranch responded to the Motion for Summary Judgment (Response). The Response indicated that Cooper and Rockin' PB Ranch agree with the changes proposed by the other parties in this Case to date.

11. An Order Denying the Motion to Stay Schedule was issued indicating a Master's Report would be forthcoming.

PRINCIPLES AND CONCLUSIONS OF LAW

1. The Water Court is required to address all issue remarks decreed on a claim as well objections the claim receives. Sections 85-2-233, 85-2-247, and 85-2-248, MCA.

2. Summary judgment is proper only when no genuine issues of material fact exist, and the moving party is entitled to judgment as a matter of law. *Watkins Trust v. Lacosta*, 2004 MT 144, ¶16, 321 Mont. 432, 92 P.3d 620 (citing M.R.Civ.P. 56(c)). To determine the existence or nonexistence of a genuine issue of material fact, the Court will look to the pleadings, depositions, answers to interrogatories, admissions on file, and affidavits. *Lee v. USAA Cas. Ins. Co.*, 2001 MT 59, ¶ 24, 304 Mont. 356, 22 P.3d 631. All reasonable inferences that might be drawn from the offered evidence should be drawn in favor of the party opposing the summary judgment motion. *Lee*, ¶ 25.

3. The party seeking summary judgment has the burden of demonstrating an absence of genuine factual issues. *Id.* Proof is required to establish the absence of genuine issues of material fact; a party may not rely on the arguments of counsel. *Montana Metal Buildings, Inc. v. Shapiro*, 283 Mont. 471, 476, 942 P.2d 694, 697 (1997). Where the moving party can demonstrate that no genuine issue of material fact remains in dispute, the burden shifts to the party opposing the motion. *Lee*, ¶ 26. To raise a genuine issue of material fact, the party opposing summary judgment must "present material and substantial evidence, rather than merely conclusory or speculative statements." *Id.*

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

The DNRC did not overcome the prima facie Statements of Claims when it added a second primary source to claims 43A 191929-00, 43A 191930-00, 43A 191931-00, and 43A 191932-00.

5. The parties agree claim 43A 191933-00 should be modified as shown in the November 2, 2022 Settlement Agreement, leaving no issues of material fact regarding claim 43A 191933-00.

6. The claims in this Case were decreed with notice issue remarks. As all outstanding issues in this Case have been resolved, the notice-remarks can be removed.

RECOMMENDATIONS

1. The October 13, 2022 Motion for Summary Judgment should be granted. The points of diversion listed on claims 43A 191929-00, 43A 191930-00, 43A 191931-00, and 43A 191932-00 should be labeled secondary points of diversion.

2. Conveyance information remarks should be added to claims 43A 191929-00, 43A 191930-00, 43A 191931-00, and 43A 191932-00 explaining that Green Canyon Creek is used to convey Cache Creek water to the places of use.

3. Claim 43A 191933-00 should be modified as shown in Finding of Fact No. 8.

4. The Notices of Intent to Appear filed to claims in this Case by the Behnam-Gamble Trust and Pamela B. Cooper should be dismissed as resolved.

5. The issue remarks should be removed from the claims in this Case.

Post Decree Abstracts of Water Right Claims are served with the Report showing the modifications made to the claims in the Case, as described in the Findings of Fact, and Recommended in this Master's Report.

Anika M. Stern
Senior Water Master

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**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SHIELDS RIVER
BASIN 43A**

Water Right Number: 43A 191929-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

ROBINSON RANCH INC
1236 HENDRICKSON RD
WILSALL, MT 59086 9531

BEHNAM-GAMBLE TRUST
BEHNAM ALI & GAMBLE RAMSAY TRUSTEES
121 SAN PABLO AVE
SAN FRANCISCO, CA 94127 1535

ROCKIN PB RANCH LLC
2933 DURSTON RD
BOZEMAN, MT 59718

Priority Date: JUNE 25, 1898

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 4.25 CFS

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

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 557.00

Source Name: GREEN CANYON CREEK

Source Type: SURFACE WATER

Source Name: CACHE 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	9	2N	7E	GALLATIN

Source Name: CACHE CREEK

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: ROBINSON-ARMSTRONG DITCH

2		NESWSW	3	2N	7E	GALLATIN
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Source Name: CACHE CREEK

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: ROBINSON-FRANCIS-GJERDE DITCH

3 - SECONDARY SWSSEW 35 3N 7E GALLATIN

Source Name: GREEN CANYON CREEK

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: PUMP

4 NESESW 34 3N 7E GALLATIN

Source Name: CACHE CREEK

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

5 - SECONDARY SWSSEW 35 3N 7E GALLATIN

Source Name: GREEN CANYON CREEK

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

WATER FROM CACHE CREEK IS CONVEYED THROUGH GREEN CANYON CREEK TO THE PLACE OF USE

Period of Use: APRIL 15 TO OCTOBER 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	40.00		NENE	35	3N	7E	GALLATIN
2	25.00		NWNE	35	3N	7E	GALLATIN
3	20.00		SWNE	35	3N	7E	GALLATIN
4	15.00		SENE	35	3N	7E	GALLATIN
5	40.00		NENW	35	3N	7E	GALLATIN
6	38.00		NWNW	35	3N	7E	GALLATIN
7	30.00		SENE	35	3N	7E	GALLATIN
8	25.00		NESW	35	3N	7E	GALLATIN
9	2.00		NWSW	35	3N	7E	GALLATIN
10	38.00		SWSW	35	3N	7E	GALLATIN
11	1.00		NWSE	35	3N	7E	GALLATIN
12	30.00		NENE	3	2N	7E	GALLATIN
13	23.00		NWNE	3	2N	7E	GALLATIN
14	37.00		SWNE	3	2N	7E	GALLATIN
15	18.00		SENE	3	2N	7E	GALLATIN
16	23.00		NENW	3	2N	7E	GALLATIN
17	1.00		NWNW	3	2N	7E	GALLATIN
18	20.00		SWNW	3	2N	7E	GALLATIN
19	31.00		SENE	3	2N	7E	GALLATIN
20	28.00		NESW	3	2N	7E	GALLATIN
21	15.00		SWSW	3	2N	7E	GALLATIN
22	32.00		SESW	3	2N	7E	GALLATIN
23	22.00		NWSW	3	2N	7E	GALLATIN
24	3.00		W2W2SE	3	2N	7E	GALLATIN

Total: 557.00

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.

191925-00

191929-00

191930-00

191931-00

191932-00

191933-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SHIELDS RIVER
BASIN 43A**

Water Right Number: 43A 191930-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

ROBINSON RANCH INC
1236 HENDRICKSON RD
WILSALL, MT 59086 9531

BEHNAM-GAMBLE TRUST
BEHNAM ALI & GAMBLE RAMSAY TRUSTEES
121 SAN PABLO AVE
SAN FRANCISCO, CA 94127 1535

ROCKIN PB RANCH LLC
2933 DURSTON RD
BOZEMAN, MT 59718

Priority Date: JULY 1, 1904

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 224.40 GPM

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

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 557.00

Source Name: GREEN CANYON CREEK

Source Type: SURFACE WATER

Source Name: CACHE 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	9	2N	7E	GALLATIN

Source Name: CACHE CREEK

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: ROBINSON-ARMSTRONG DITCH

2		NESWSW	3	2N	7E	GALLATIN
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Source Name: CACHE CREEK

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: ROBINSON-FRANCIS-GJERDE DITCH

3 - SECONDARY SWSSEW 35 3N 7E GALLATIN

Source Name: GREEN CANYON CREEK

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: PUMP

4 NESESW 34 3N 7E GALLATIN

Source Name: CACHE CREEK

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

5 - SECONDARY SWSSEW 35 3N 7E GALLATIN

Source Name: GREEN CANYON CREEK

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

WATER FROM CACHE CREEK IS CONVEYED THROUGH GREEN CANYON CREEK TO THE PLACE OF USE

Period of Use: APRIL 15 TO OCTOBER 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	40.00		NENE	35	3N	7E	GALLATIN
2	25.00		NWNE	35	3N	7E	GALLATIN
3	20.00		SWNE	35	3N	7E	GALLATIN
4	15.00		SENE	35	3N	7E	GALLATIN
5	40.00		NENW	35	3N	7E	GALLATIN
6	38.00		NWNW	35	3N	7E	GALLATIN
7	30.00		SENE	35	3N	7E	GALLATIN
8	25.00		NESW	35	3N	7E	GALLATIN
9	2.00		NWSW	35	3N	7E	GALLATIN
10	38.00		SWSW	35	3N	7E	GALLATIN
11	1.00		NWSE	35	3N	7E	GALLATIN
12	30.00		NENE	3	2N	7E	GALLATIN
13	23.00		NWNE	3	2N	7E	GALLATIN
14	37.00		SWNE	3	2N	7E	GALLATIN
15	18.00		SENE	3	2N	7E	GALLATIN
16	23.00		NENW	3	2N	7E	GALLATIN
17	1.00		NWNW	3	2N	7E	GALLATIN
18	20.00		SWNW	3	2N	7E	GALLATIN
19	31.00		SENE	3	2N	7E	GALLATIN
20	28.00		NESW	3	2N	7E	GALLATIN
21	15.00		SWSW	3	2N	7E	GALLATIN
22	32.00		SESW	3	2N	7E	GALLATIN
23	22.00		NWSW	3	2N	7E	GALLATIN
24	3.00		W2W2SE	3	2N	7E	GALLATIN

Total: 557.00

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.

191925-00

191929-00

191930-00

191931-00

191932-00

191933-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SHIELDS RIVER
BASIN 43A**

Water Right Number: 43A 191931-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

ROBINSON RANCH INC
1236 HENDRICKSON RD
WILSALL, MT 59086 9531

BEHNAM-GAMBLE TRUST
BEHNAM ALI & GAMBLE RAMSAY TRUSTEES
121 SAN PABLO AVE
SAN FRANCISCO, CA 94127 1535

ROCKIN PB RANCH LLC
2933 DURSTON RD
BOZEMAN, MT 59718

Priority Date: JULY 1, 1889

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 2.50 CFS

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

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 557.00

Source Name: CACHE CREEK

Source Type: SURFACE WATER

Source Name: GREEN CANYON 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	9	2N	7E	GALLATIN

Source Name: CACHE CREEK

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: ROBINSON-ARMSTRONG DITCH

2		NESWSW	3	2N	7E	GALLATIN
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Source Name: CACHE CREEK

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: ROBINSON-FRANCIS-GJERDE DITCH

3 - SECONDARY SWSSEW 35 3N 7E GALLATIN

Source Name: GREEN CANYON CREEK

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: PUMP

4 NESESW 34 3N 7E GALLATIN

Source Name: CACHE CREEK

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

5 - SECONDARY SWSSEW 35 3N 7E GALLATIN

Source Name: GREEN CANYON CREEK

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

WATER FROM CACHE CREEK IS CONVEYED THROUGH GREEN CANYON CREEK TO THE PLACE OF USE

Period of Use: APRIL 15 TO OCTOBER 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	40.00		NENE	35	3N	7E	GALLATIN
2	25.00		NWNE	35	3N	7E	GALLATIN
3	20.00		SWNE	35	3N	7E	GALLATIN
4	15.00		SENE	35	3N	7E	GALLATIN
5	40.00		NENW	35	3N	7E	GALLATIN
6	38.00		NWNW	35	3N	7E	GALLATIN
7	30.00		SENE	35	3N	7E	GALLATIN
8	25.00		NESW	35	3N	7E	GALLATIN
9	2.00		NWSW	35	3N	7E	GALLATIN
10	38.00		SWSW	35	3N	7E	GALLATIN
11	1.00		NWSE	35	3N	7E	GALLATIN
12	30.00		NENE	3	2N	7E	GALLATIN
13	23.00		NWNE	3	2N	7E	GALLATIN
14	37.00		SWNE	3	2N	7E	GALLATIN
15	18.00		SENE	3	2N	7E	GALLATIN
16	23.00		NENW	3	2N	7E	GALLATIN
17	1.00		NWNW	3	2N	7E	GALLATIN
18	20.00		SWNW	3	2N	7E	GALLATIN
19	31.00		SENE	3	2N	7E	GALLATIN
20	28.00		NESW	3	2N	7E	GALLATIN
21	15.00		SWSW	3	2N	7E	GALLATIN
22	32.00		SESW	3	2N	7E	GALLATIN
23	22.00		NWSW	3	2N	7E	GALLATIN
24	3.00		W2W2SE	3	2N	7E	GALLATIN

Total: 557.00

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.

191925-00

191929-00

191930-00

191931-00

191932-00

191933-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SHIELDS RIVER
BASIN 43A**

Water Right Number: 43A 191932-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

ROBINSON RANCH INC
1236 HENDRICKSON RD
WILSALL, MT 59086 9531

BEHNAM-GAMBLE TRUST
BEHNAM ALI & GAMBLE RAMSAY TRUSTEES
121 SAN PABLO AVE
SAN FRANCISCO, CA 94127 1535

ROCKIN PB RANCH LLC
2933 DURSTON RD
BOZEMAN, MT 59718

Priority Date: APRIL 30, 1883

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 1.75 CFS

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

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 557.00

Source Name: GREEN CANYON CREEK

Source Type: SURFACE WATER

Source Name: CACHE 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	9	2N	7E	GALLATIN

Source Name: CACHE CREEK

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: ROBINSON-ARMSTRONG DITCH

2		NESWSW	3	2N	7E	GALLATIN
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Source Name: CACHE CREEK

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: ROBINSON-FRANCIS-GJERDE DITCH

3 - SECONDARY SWSSEW 35 3N 7E GALLATIN

Source Name: GREEN CANYON CREEK

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: PUMP

4 NESESW 34 3N 7E GALLATIN

Source Name: CACHE CREEK

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

5 - SECONDARY SWSSEW 35 3N 7E GALLATIN

Source Name: GREEN CANYON CREEK

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

WATER FROM CACHE CREEK IS CONVEYED THROUGH GREEN CANYON CREEK TO
THE PLACE OF USE

Period of Use: APRIL 15 TO OCTOBER 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	40.00		NENE	35	3N	7E	GALLATIN
2	25.00		NWNE	35	3N	7E	GALLATIN
3	20.00		SWNE	35	3N	7E	GALLATIN
4	15.00		SENE	35	3N	7E	GALLATIN
5	40.00		NENW	35	3N	7E	GALLATIN
6	38.00		NWNW	35	3N	7E	GALLATIN
7	30.00		SENE	35	3N	7E	GALLATIN
8	25.00		NESW	35	3N	7E	GALLATIN
9	2.00		NESW	35	3N	7E	GALLATIN
10	38.00		SWSW	35	3N	7E	GALLATIN
11	1.00		NWSE	35	3N	7E	GALLATIN
12	30.00		NENE	3	2N	7E	GALLATIN
13	23.00		NWNE	3	2N	7E	GALLATIN
14	37.00		SWNE	3	2N	7E	GALLATIN
15	18.00		SENE	3	2N	7E	GALLATIN
16	23.00		NENW	3	2N	7E	GALLATIN
17	1.00		NWNW	3	2N	7E	GALLATIN
18	20.00		SWNW	3	2N	7E	GALLATIN
19	31.00		SENE	3	2N	7E	GALLATIN
20	28.00		NESW	3	2N	7E	GALLATIN
21	15.00		SWSW	3	2N	7E	GALLATIN
22	32.00		SESW	3	2N	7E	GALLATIN
23	22.00		NWSW	3	2N	7E	GALLATIN
24	3.00		W2W2SE	3	2N	7E	GALLATIN

Total: 557.00

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.

191925-00

191929-00

191930-00

191931-00

191932-00

191933-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SHIELDS RIVER
BASIN 43A**

Water Right Number: 43A 191933-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: ROBINSON RANCH INC
1236 HENDRICKSON RD
WILSALL, MT 59086 9531

BEHNAM-GAMBLE TRUST
BEHNAM ALI & GAMBLE RAMSAY TRUSTEES
121 SAN PABLO AVE
SAN FRANCISCO, CA 94127 1535

Priority Date: MAY 15, 1883

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 1.00 CFS

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

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 168.00

Source Name: GREEN CANYON 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		SWSESW	35	3N	7E	GALLATIN

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: PUMP

2		SWSESW	35	3N	7E	GALLATIN
---	--	--------	----	----	----	----------

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: ROBINSON DITCH

3		SWSESW	35	3N	7E	GALLATIN
---	--	--------	----	----	----	----------

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Period of Use: APRIL 15 TO OCTOBER 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	38.00		NENE	35	3N	7E	GALLATIN
2	22.00		NWNE	35	3N	7E	GALLATIN

3	18.00	SWNE	35	3N	7E	GALLATIN
4	14.00	SENE	35	3N	7E	GALLATIN
5	14.00	NENW	35	3N	7E	GALLATIN
6	18.00	SENW	35	3N	7E	GALLATIN
7	14.00	NESW	35	3N	7E	GALLATIN
8	2.00	NWSW	35	3N	7E	GALLATIN
9	28.00	SWSW	35	3N	7E	GALLATIN
Total:						168.00

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.

191925-00	191929-00	191930-00	191931-00	191932-00	191933-00
-----------	-----------	-----------	-----------	-----------	-----------

ELECTRONICALLY FILED

Bina R. Peters
Dana Elias Pepper
River and Range Law, PLLC
PO Box 477
Bozeman, MT 59771
(406) 451-3418
bina@riverandrangelaw.com
dana@riverandrangelaw.com

43A-0319-R-2021

November 2, 2022

Montana Water Court

Attorneys for Robert Richard Waddell

IN THE WATER COURT OF THE STATE OF MONTANA
YELLOWSTONE DIVISION
SHIELDS RIVER BASIN 43A
PRELIMINARY DECREE

CLAIMANTS: Robinson Ranch, Inc.; Behnam-Gamble Trust;
Rockin' PB Ranch LLC

NOTICE OF INTENT TO APPEAR: Pamela B. Cooper;
Robert Richard Waddell; Behnam-Gamble
Trust

43A-0319-R-2021

43A 191929-00
43A 191930-00
43A 191931-00
43A 191932-00
43A 191933-00

CLAIMANT: Cache Creek Ranch; R. Richard Waddell;
Sharon L. Waddell

OBJECTOR: David K. Mabie

NOTICE OF INTENT TO APPEAR: Behnam-Gamble Trust

43A-0323-R-2021

43A 167035-00
43A 167036-00
43A 167042-00
43A 191814-00

CLAIMANT: R. Richard Waddell

NOTICE OF INTENT TO APPEAR: Behnam-Gamble Trust

43A-0325-R-2021

43A 191807-00
43A 191808-00

NOTICE OF FILING OF SETTLEMENT AGREEMENT

Robert Richard Waddell, by and through undersigned counsel, provides notice that Robert Richards Waddell, Robinson Ranch, Inc and Behnam-Gamble Trust have reached settlement in cases 43A-0319-R-2021, 43A-0323-R-2021, and 43A-0325-R-2021. The signed Settlement Agreement is attached.

RESPECTFULLY submitted this 2nd day of November, 2022.

River and Range Law, PLLC
By: /s/ Dana Elias Pepper

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was duly served via email or U.S. first class mail, postage prepaid, on this 2nd day of November, 2022, upon the following:

John W. Tietz
Browning, Kaleczyc, Berry & Hoven PC
PO Box 1697
Helena, MT 59624-16976
(406) 443-6820
john@bkbh.com
bethany@bkbh.com
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becki@fanninglawpllc.com
accounts@fanninglawpllc.com

River and Range Law, PLLC
By: /s/ Dana Elias Pepper

SETTLEMENT AGREEMENT

SETTLEMENT AGREEMENT is made and entered between Robert Richard Waddell ("Waddell"), Robinson Ranch, Inc., ("Robinson"), and Behnam-Gamble Trust ("the Trust"), (collectively the "Parties"), for the purposes described herein.

RECITALS

1. Waddell owns numerous water rights including water rights 43A 191807-00, 43A 191808-00, and 43A 191814-00.
2. The Trust, Rockin' PB Ranch, LLC, and Robinson co-own numerous water rights including water rights 43A 191929-00, 43A 191930-00, 43A 191931-00, and 43A 191932-00.
3. Additionally, the Trust and Robinson co-own water right 43A 191933-00.
4. Waddell filed Notices of Intent to Appear ("NOIAs") against water right claims 43A 191929-00, 43A 191930-00, 43A 191931-00, 43A 191932-00, and 43A 191933-00. The Water Court consolidated claims 43A 191929-00, 43A 191930-00, 43A 191931-00, 43A 191932-00, and 43A 191933-00 into Case 43A-0319-R-2021.
5. The Trust filed NOIAs against water right claim 43A 191814-00. The Water Court consolidated claim 43A 191814-00 into Case 43A-0323-R-2021, along with water right claims owned by Cache Creek Ranch, LLC. On March 2, 2021, the Trust unconditionally withdrew its NOIA to claim 43A 191814-00.
6. On May 12, 2022, Waddell and Cache Creek Ranch, LLC filed a Settlement Agreement in case 43A-0323-R-2021, which, among other things, sought to amend the maximum acres irrigated under claim 43A 191814-00. The Water Court required Waddell to publish notice of the amendment.
7. The Trust filed NOIAs against water right claims 43A 191807-00 and 43A 191808-00, which are owned by Waddell. The Water Court consolidated claims 43A 191807-00 and 43A 191808-00 into Case 43A-0325-R-2021.

THEREFORE, in consideration of the mutual promises and covenants contained herein the Parties hereby stipulate and agree as follows:

AGREEMENT

Resolution of Objections and Issue Remarks

1. Waddell agrees his NOIA on water rights 43A 191929-00, 43A 191930-00, 43A 191931-00, 43A 191932-00, and 43A 191933-00 ("the Water Rights") is resolved if:

a. The Water Rights appear in the final decree as they appeared in the Preliminary Decree with the exception that:

- i. The Water Rights may be split;
- ii. The points of diversion out of Green Canyon Creek for claims 43A 191929-00, 43A 191930-00, 43A 191931-00, and 43A 191932-00 may be reflected on the abstracts as being secondary points of diversion;

iii. The Place of Use of 43A 191933-00 may be modified to:

<u>Acres</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>
38.00	NENE	35	3N	7E
22.00	NWNE	35	3N	7E
18.00	SWNE	35	3N	7E
14.00	SENE	35	3N	7E
14.00	NENW	35	3N	7E
18.00	SENW	35	3N	7E
14.00	NESW	35	3N	7E
2.00	NWSW	35	3N	7E
<u>28.00</u>	SWSW	35	3N	7E
168.00				

iv. The Water Court may reduce other elements of the Water Rights in the final decree.

2. Simultaneous with the filing of the Agreement, Waddell will withdraw his Notice of Intent to Appear in Water Court Case 43A-0319-R-2021.

3. The Trust and Robinson agree to not object to Waddell's amendment of water right 43A 191814-00 as agreed to in the Settlement Agreement between Cache Creek Ranch, David Mabie and Richards R. Waddell.

4. Simultaneous with the filing of the Agreement, the Trust will withdraw its Notice of Intent to Appear and its Motion for Summary Judgment regarding

water rights 43A 191807-00 and 43A 191808-00 in Case 43A-0325-R-2021.

5. The Trust and Robinson agree they will not object to Waddell's Motion to Amend, a copy of which is attached herewith as Exhibit C, which is to be filed simultaneously with this Settlement Agreement.

Binding Effect: The Parties agree that this Agreement is binding on all Parties hereto and the heirs, successors, and assigns of the same, whether such may be individuals or other legal entities.

Voluntary Execution of Agreement: The Parties represent that they have executed this Agreement knowingly, willingly, and voluntarily; not as the result of undue or improper influence by any party; and have had the same reviewed by counsel or have had the opportunity to consult with counsel prior to execution.

Governing Law: This Agreement shall be governed by and accordance with Montana law.

Attorney Fees and Cost: Each party agrees to pay its own costs and attorney's fees arising from the litigation of the above-captioned case.

Effective Date: The effective date of this Agreement shall be the date of the last signature below.

Counterparts: This Agreement may be executed in counterparts, each of which shall constitute the original Agreement for all purposes.

Governing Law: This Agreement shall be governed by and accordance with Montana law.


R. Richard Waddell

Dated: _____


Robinson Ranch Inc.

By: Pres. Robinson Ranch Inc.

Dated: 10-19-22

Behnam-Gamble Trust

By: _____

Dated: _____

water rights 43A 191807-00 and 43A 191808-00 in Case 43A-0325-R-2021.

5. The Trust and Robinson agree they will not object to Waddell's Motion to Amend, a copy of which is attached herewith as Exhibit C, which is to be filed simultaneously with this Settlement Agreement.

Binding Effect: The Parties agree that this Agreement is binding on all Parties hereto and the heirs, successors, and assigns of the same, whether such may be individuals or other legal entities.

Voluntary Execution of Agreement: The Parties represent that they have executed this Agreement knowingly, willingly, and voluntarily; not as the result of undue or improper influence by any party; and have had the same reviewed by counsel or have had the opportunity to consult with counsel prior to execution.

Governing Law: This Agreement shall be governed by and accordance with Montana law.

Attorney Fees and Cost: Each party agrees to pay its own costs and attorney's fees arising from the litigation of the above-captioned case.

Effective Date: The effective date of this Agreement shall be the date of the last signature below.

Counterparts: This Agreement may be executed in counterparts, each of which shall constitute the original Agreement for all purposes.

Governing Law: This Agreement shall be governed by and accordance with Montana law.



R. Richard Waddell

Dated: _____

Robinson Ranch Inc.

By: _____

Dated: _____

Behnam-Gamble Trust

By: 

Dated: 10-21-22

**Bina R. Peters
Dana Elias Pepper
River and Range Law, PLLC
PO Box 477
Bozeman, MT 59771
(406) 451-3418
bina@riverandrangelaw.com
dana@riverandrangelaw.com**

Attorneys for Robert Richard Waddell

**IN THE WATER COURT OF THE STATE OF MONTANA
YELLOWSTONE DIVISION
SHIELDS RIVER BASIN 43A
PRELIMINARY DECREE**

**CLAIMANT: Robert Richard Waddell;
Sharon L. Waddell**

43A 191716-00
43A 191717-00
43A 191718-00
43A 191719-00
43A 191720-00
43A 191721-00
43A 191722-00
43A 191723-00
43A 191724-00
43A 191725-00
43A 191726-00
43A 191727-00
43A 191728-00
43A 191729-00
43A 191730-00
43A 191731-00
43A 191732-00
43A 191733-00
43A 191780-00
43A 191781-00
43A 191782-00
43A 191783-00
43A 191784-00
43A 191785-00

43A 191786-00
43A 191787-00
43A 191788-00
43A 191789-00
43A 191791-00
43A 191792-00
43A 191793-00
43A 191796-00
43A 191798-00
43A 191801-00
43A 191803-00
43A 191807-00
43A 191808-00
43A 191809-00
43A 191811-00
43A 191812-00
43A 191813-00
43A 191814-00
43A 191815-00
43A 191816-00
43A 191817-00
43A 191818-00
43A 191820-00
43A 191821-00
43A 191822-00
43A 191823-00

MOTION TO AMEND

Claimant Robert Richard Waddell ("Waddell") files this Motion to Amend the above captioned claims. The above captioned claims include the following stock claims:

- 43A 191716-00
- 43A 191717-00
- 43A 191718-00
- 43A 191719-00
- 43A 191720-00
- 43A 191721-00

- 43A 191780-00
- 43A 191781-00
- 43A 191782-00
- 43A 191783-00
- 43A 191784-00
- 43A 191785-00
- 43A 191786-00
- 43A 191787-00
- 43A 191788-00
- 43A 191789-00
- 43A 191791-00
- 43A 191792-00
- 43A 191793-00
- 43A 191796-00
- 43A 191798-00
- 43A 191801-00
- 43A 191803-00

Exhibits A-V

The stock claims did not receive any issue remarks or objections and did not appear on the objection list for Basin 43A.

The above captioned claims include the following irrigation claims:

- 43A 191722-00
- 43A 191723-00
- 43A 191724-00
- 43A 191725-00
- 43A 191726-00
- 43A 191727-00
- 43A 191728-00
- 43A 191729-00
- 43A 191730-00
- 43A 191731-00
- 43A 191732-00
- 43A 191733-00
- 43A 191807-00
- 43A 191808-00
- 43A 191809-00

- 43A 191811-00
- 43A 191812-00
- 43A 191813-00
- 43A 191814-00
- 43A 191815-00
- 43A 191816-00
- 43A 191817-00
- 43A 191818-00
- 43A 191821-00
- 43A 191822-00
- 43A 191823-00

Waddell respectfully requests the Water Court correct the above captioned claims to reflect stock drinking directly from source and ditches.

BRIEF IN SUPPORT OF MOTION TO AMEND

I. Law

A. Motion to Amend

Motions to amend water rights filed after the preliminary decree was issued implicate the notice provisions of Section 85-2-233(6), MCA, which states:

(6)(a) After the issuance of a temporary preliminary decree or preliminary decree, notice must be published once a week for 3 consecutive weeks in two newspapers of general circulation in the basin where the decree was issued for:

(i) a motion to amend a statement of claim that may adversely affect other water rights; or

(ii) a motion to amend a timely objection that may adversely affect other water rights.

(b) The notice must specify that any response or objection to the proposed amendment must be filed within 45 days of the date of the last notice.

(c) The water judge may order any additional notice of the motion as the water judge considers necessary.

(d) The costs of the notice required pursuant to this subsection.

B. Incidental Use Remark

Pursuant to 85-2-234(6)(i), MCA, each water right decreed in a final decree must provide the necessary information to fully define the nature and extent of the right. The Court has added incidental use remark to irrigation rights for stock drinking from a ditch where the use does not expand the extent of the water right and there is evidence of the historical incidental use. *In re Ashcraft*, 2022 Mont. Water LEXIS 431. This remark is a commissioner's remark which should be included on enforcement tabulations.

II. Requests to Amend

A. Stock Claims

Waddell's stock water rights were claimed for stock drinking directly from the source. The historical use of the claims has been that stock drink on the portion of the water sources that flow through Waddell's property. Waddell filed the original Statement of Claim filings for these water rights. As explained in the Affidavit of Waddell attached as Exhibit W, at the time of the filing of the Statements of Claim, it was Waddell's understanding that the correct way to denote the location of the claim on the Statement of Claim forms was to claim the location where a source entered each property. However, based on the documentation in the claim files, it is apparent that he intended to claim stock drinking on the length of each water source where it ran through his property.

For each Statement of Claim stock form, Waddell attached a map and affidavit. See Exhibit A-V. Each affidavit is of prior owner, Grace Blattie. Blattie describes the use of stock drinking on the source within a broad legal description, including the entire length of the stream or source within the property boundary. The maps Waddell filed with each Statement of Claim stock form, show a mark along the stretch of the source on Waddell's property, indicating he intended to

claim stock as drinking on the lengths of the stream on his property rather than the limited location where the source enters the property.

The legal descriptions currently on Waddell's stock rights do not reflect where stock historically watered and continue to water. Rather, his stock water rights only reflect where a source of water enters his property. It is now Waddell's understanding that the stock claims are incorrect and that the legal descriptions claimed should have included the stretches of the sources and ditches on his property as described on the affidavits and maps filed with the Statement of Claim forms. Therefore, Waddell wishes to correct the locations as shown on the attached proposed abstracts.

For each stock claim, attached is an exhibit that includes a proposed abstract with the map and affidavit from the original Statement of Claim. *Exhibits A-V.*

Waddell is adding his own property to these existing stock water rights. There are no other water users within the location of the added legal descriptions and the legal descriptions currently listed. There are no other water users within the stretch of the stream being added and the number of animal units is not being increased. Even though broader legal descriptions are requested, the corrections do not appear to adversely affect other water users. Therefore, Waddell does not believe that publication is required, but will comply with any determinations of the Water Court concerning additional notice.

II. Irrigation Claims

Waddell requests the following incidental rights remark be added to the irrigation claim listed above:

THIS WATER RIGHT IS INCIDENTALLY USED FOR STOCK WATER.

THE INCIDENTAL USE OF THIS RIGHT FOR STOCK IS LIMITED TO WHEN WATER ALSO IS DIVERTED FROM THE POINT OF DIVERSION AND CONVEYED TO THE PLACE OF USE FOR IRRIGATION USE AND DOES NOT PROVIDE AN INDEPENDENT BASIS FOR A CALL ON OTHER WATER RIGHTS.

The addition of this remark is supported by the Affidavit of Mr. Waddell.
Exhibit W.

Conclusion

Waddell respectfully requests the Water Court accept the amendments to the stock and irrigation claims described above and on the attached proposed abstracts.

RESPECTFULLY submitted this ____ day of _____, 2022.

River and Range Law, PLLC

By: /s/

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was duly served via email or U.S. first class mail, postage prepaid, on this ____ day of _____, 2022, upon the following:

Sharon L. Waddell
600 Seitz Road E.
Wilsall, MT 59086

River and Range Law, PLLC

By: /s/

EXHIBIT A

**PRELIMINARY DECREE
SHIELDS RIVER
BASIN 43A
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE MONTANA WATER COURT AFTER ISSUANCE OF THE TEMPORARY PRELIMINARY DECREE OR BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE PREPARATION OF THIS PRELIMINARY DECREE. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 43A 191716-00 STATEMENT OF CLAIM

Version: 2 -- REEXAMINED

Status: ACTIVE

Owners: ROBERT RICHARD WADDELL
600 SEITZ RD E
WILSALL, MT 59086 9527

Priority Date: JUNE 10, 1930

Type of Historical Right: USE

Purpose(uses): 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 CACHE 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		NENWSW	9	2N	7E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Add: N2NESW T2N, R7E, Gallatin

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1			NENWSW	9	2N	7E	GALLATIN	Add: N2NESW T2N, R7E, Gallatin

Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC PREPARATION OF THIS PRELIMINARY DECREE AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

LEGEND

PRIVATE IRRIGATION

Asp or Shollar Creek

PERGANDÉ - WINDSOR DITCH

COUNTY

N



ROBERT A. WADDELL

WILSAI MONT.

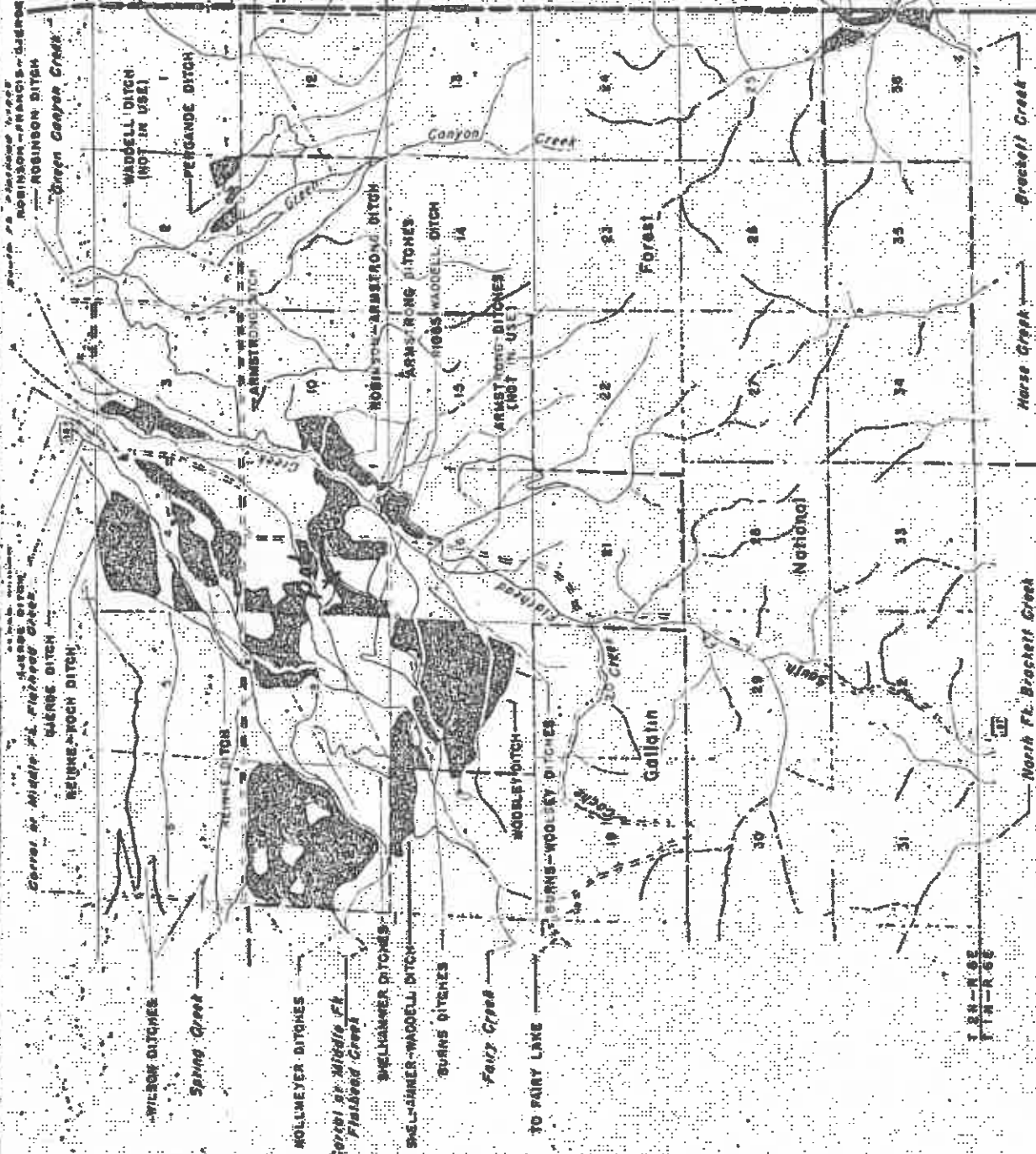
59081

T2N R7E

PARK

191716

N-87E



T2N-R7E

STATE OF MONTANA
County of Gallatin

ss.

AFFIDAVIT

191716

Grace Blattie, after being first
duly sworn, deposed and says:

That my mailing address is Wilsall, Montana 59086
; That I am now and have been a resident of
Gallatin County, Montana; that I have been, beginning
about the month of January 1, 1930, familiar with stock-
water used on land, hereinafter described; that I know of my own
knowledge, that surface waters have been taken for the purpose of
watering livestock from un-named creek running
(creek, river, spring, or lake)
thro or in, hereinafter described land, in Gallatin county, ever
since the 1 day of January 1, 1930, and that approximately
30 gallons per minute
minor inches were so taken for watering livestock on
lands in Gallatin county, Montana, generally described as:

Section 9, Township 2N, Range 7E

Affiant makes this Affidavit for the purpose of establishing
a stockwater right on the lands above described.

Grace L. Blattie

SUBSCRIBED and SWORN to before me this 23 day of May
1982.

Calvin D. Davis
Notary Public for the State of Montana
Residing at Wilsall, Montana
My Commission Expires 4-24-85

EXHIBIT B

**PRELIMINARY DECREE
SHIELDS RIVER
BASIN 43A
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE MONTANA WATER COURT AFTER ISSUANCE OF THE TEMPORARY PRELIMINARY DECREE OR BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE PREPARATION OF THIS PRELIMINARY DECREE. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 43A 191717-00 STATEMENT OF CLAIM

Version: 2 - REEXAMINED

Status: ACTIVE

**Owners: ROBERT RICHARD WADDELL
800 SEITZ RD E
WILLSALL, MT 59088 9527**

Priority Date: JANUARY 1, 1930

Type of Historical Right: USE

Purpose(uses): 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: GREEN CANYON CREEK

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	W2	SESESW	2	2N	7E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		W2	SESESW	2	2N	7E	GALLATIN

Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC PREPARATION OF THIS PRELIMINARY DECREE AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

STATE OF MONTANA :)
County of Gallatin)

ss.

AFFIDAVIT

191717

Grace Blattie, after being first
duly sworn, deposed and says:

That my mailing address is Wilsall, Montana 59086
; That I am now and have been a resident of
Gallatin County, Montana; that I have been, beginning
about the month of January, 1930, familiar with stock-
water used on land, hereinafter described; that I know of my own
knowledge, that surface waters have been taken for the purpose of
watering livestock from Green Canyon Creek running
(creek, river, spring, or lake)
thro or in, hereinafter described land, in Gallatin county, ever
since the 1 day of January, 1930, and that approximately
30 gallons per minute
~~minor 5 inches~~ were so taken for watering livestock on
lands in Gallatin county, Montana, generally described as:

Section 2, Township 2N, Range 7E

Affiant makes this Affidavit for the purpose of establishing
a stockwater right on the lands above described.

Grace T. Blattie

SUBSCRIBED and SWORN to before me this 25 day of June,
1931.

Calvin D. Jones
Notary Public for the State of Montana
Residing at Wilsall, Montana
My Commission Expires 4-24-35

EXHIBIT C

**PRELIMINARY DECREE
SHIELDS RIVER
BASIN 43A
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE MONTANA WATER COURT AFTER ISSUANCE OF THE TEMPORARY PRELIMINARY DECREE OR BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE PREPARATION OF THIS PRELIMINARY DECREE. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 43A 191718-00 STATEMENT OF CLAIM

Version: 2 -- REEXAMINED

Status: ACTIVE

**Owners: ROBERT RICHARD WADDELL
600 SEITZ RD E
WILSALL, MT 59086 9527**

Priority Date: JUNE 10, 1930

Type of Historical Right: USE

Purpose(uses): 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 CARROL 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	S2	NWNWSE	8	2N	7E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2	NWNWSE	8	2N	7E	GALLATIN

Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC PREPARATION OF THIS PRELIMINARY DECREE AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

LEGEND

PRIVATE IRRIGATION

Asst. Dr. Sheffer Creek
PENNINO - WILSON DITCH

GRAND CANYON CREEK
ROBINSON - FRANCIS - CROOK DITCH

WADDELL DITCH
(NOT IN USE)

PERGAUDE DITCH

ARMSTRONG DITCH

ROBINSON - ARMSTRONG DITCH

ARMSTRONG DITCHES

WADDELL DITCH

ARMSTRONG DITCHES
(NOT IN USE)

Corral or Middle Ft. Flathead Creek
SWEDE DITCH

REINKE - KOON DITCH

REYNE DITCH

WILSON DITCHES

Spray Creek

HOLLMAYER DITCHES

Corral or Middle Ft. Flathead Creek

SHELLHAMMER DITCHES

SHELLHAMMER - WADDELL DITCH

BURNS DITCHES

Fairy Creek

TO FAIRY LAKE

WOLLEY DITCH

BURNS - WOOLLEY DITCHES

Gallatin

National

Forest

Ganymede

Creek

HEATH DITCHES

PRESSLEY - BRIDGEMAN DITCH

Nixon Creek

Brackett Creek

North Ft. Brackett Creek

Horse Creek

Brackett Creek

ROBERT R. WADDELL

WISCONSIN MONT.

59086

TAN RTE

TAN-RTE

191718

STATE OF MONTANA
County of Gallatin

ss.

AFFIDAVIT

191718

Grace Blattie, after being first
duly sworn, deposed and says:

That my mailing address is Wilsall, Montana 59086
; That I am now and have been a resident of
Gallatin County, Montana; that I have been, beginning
about the month of January 1, 1930, familiar with stock-
water used on land, hereinafter described; that I know of my own
knowledge, that surface waters have been taken for the purpose of
watering livestock from un-named stream running
(creek, river, spring, or lake)
thro or in, hereinafter described land, in Gallatin county, ever
since the 1 day of January, 1930, and that approximately
30 gallons per minute were so taken for watering livestock on
lands in Gallatin county, Montana, generally described as:

Section 8, Township 2N, Range 7E

Affiant makes this Affidavit for the purpose of establishing
a stockwater right on the lands above described.

Grace I. Blattie

SUBSCRIBED and SWORN to before me this 15 day of January,
1932.

Charles D. Sams
Notary Public for the State of Montana
Residing at Wilsall, Montana
My Commission Expires 4-24-35

EXHIBIT D

**PRELIMINARY DECREE
SHIELDS RIVER
BASIN 43A
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE MONTANA WATER COURT AFTER ISSUANCE OF THE TEMPORARY PRELIMINARY DECREE OR BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE PREPARATION OF THIS PRELIMINARY DECREE. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 43A 191719-00 STATEMENT OF CLAIM

Version: 2 – REEXAMINED

Status: ACTIVE

**Owners: ROBERT RICHARD WADDELL
800 SEITZ RD E
WILSALL, MT 59086 9527**

Priority Date: JANUARY 1, 1930

Type of Historical Right: USE

Purpose(uses): 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 GREEN CANYON 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	W2NW	SWSW1/4	2	2N	7E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		W2NW SWSW	2	2N	7E	GALLATIN	

Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC PREPARATION OF THIS PRELIMINARY DECREE AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

STATE OF MONTANA :)
County of Gallatin)

ss.

AFFIDAVIT

191719

Grace Blattie , after being first
duly sworn, deposed and says:

That my mailing address is Wilsall Montana 59086
; That I am now and have been a resident of
Gallatin County, Montana; that I have been, beginning
about the month of January 1, 1930, familiar with stock-
water used on land, hereinafter described; that I know of my own
knowledge, that surface waters have been taken for the purpose of
watering livestock from un-named stream running
(creek, river, spring, or lake)
thro or in, hereinafter described land, in Gallatin county, ever
since the 1 day of January 1, 1930, and that approximately
30 gallons per minute ~~water~~ ^{water} were so taken for watering livestock on
lands in Gallatin county, Montana, generally described as:

Section 2, Township 2N, range 7E

Affiant makes this Affidavit for the purpose of establishing
a stockwater right on the lands above described.

Grace L. Blattie

SUBSCRIBED and SWORN to before me this 25 day of January,
1932.

Calvin D. San
Notary Public for the State of Montana
Residing at Wilsall, Montana
My Commission Expires 4-24-85

EXHIBIT E

**PRELIMINARY DECREE
SHIELDS RIVER
BASIN 43A
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE MONTANA WATER COURT AFTER ISSUANCE OF THE TEMPORARY PRELIMINARY DECREE OR BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE PREPARATION OF THIS PRELIMINARY DECREE. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 43A 191720-00 STATEMENT OF CLAIM

Version: 2 - REEXAMINED

Status: ACTIVE

**Owners: ROBERT RICHARD WADDELL
800 SEITZ RD E
WILSALL, MT 59086 9527**

Priority Date: JUNE 10, 1930

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: FAIRY 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>Ree</u>	<u>County</u>
1		NWNWSW	9	2N	7E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Add: W2NW Sec. 9, T2N, R7E, Gallatin

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	<u>Add</u>
1			NWNWSW	9	2N	7E	GALLATIN	W2NW Sec. 9, T2N, R7E, Gallatin

Remarks:

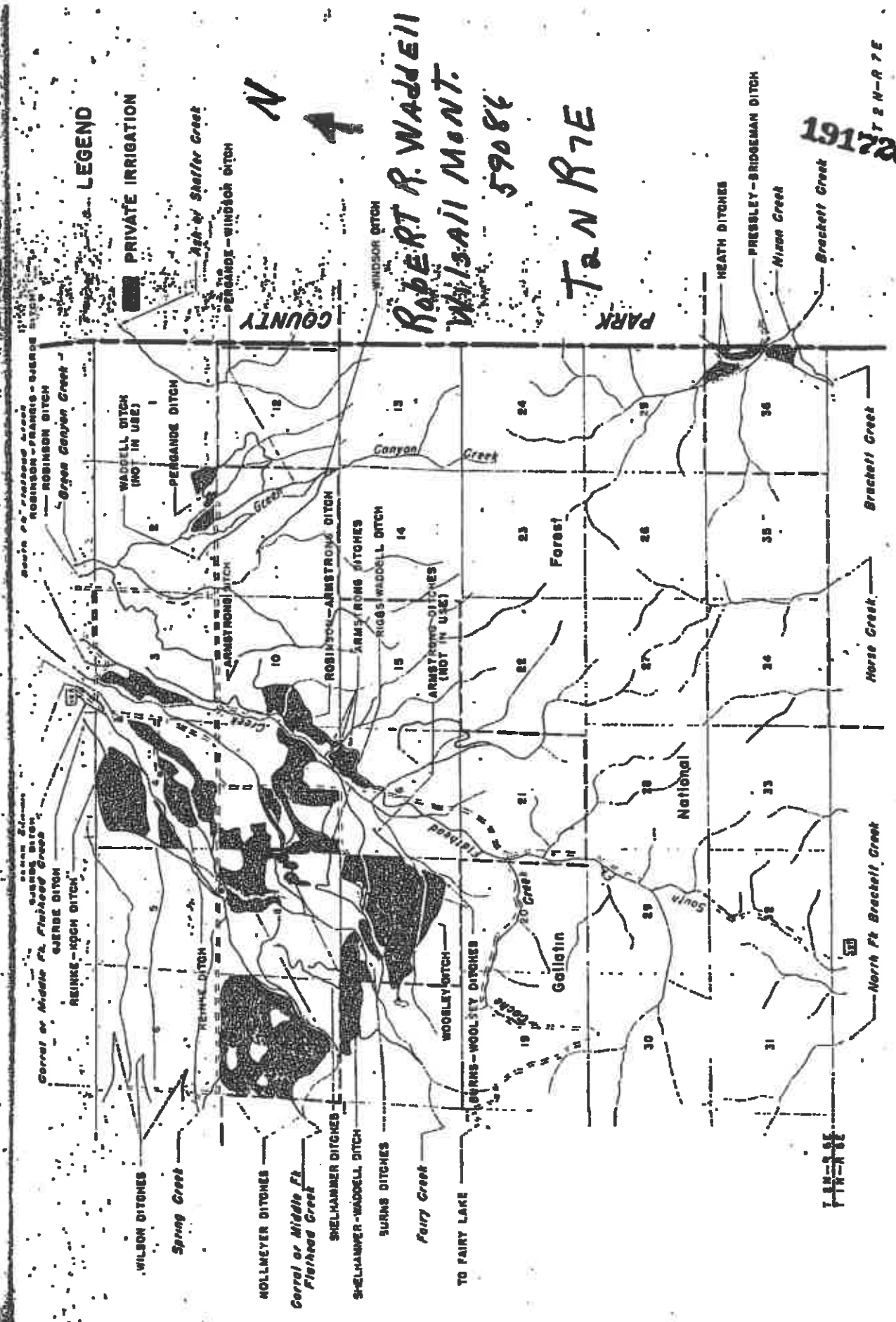
STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC PREPARATION OF THIS PRELIMINARY DECREE AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.



LEGEND

PRIVATE IRRIGATION



ROBERT R. WADDELL
WILSON MONT.
59086

TAN R7E

191720

TAN R7E

STATE OF MONTANA :)
County of Gallatin)

ss.

AFFIDAVIT

191720

Grace Blattie, after being first
duly sworn, deposed and says:

That my mailing address is Wilsall, Montana 59086
; That I am now and have been a resident of
Gallatin County, Montana; that I have been, beginning
about the month of January 1, 1930, familiar with stock-
water used on land, hereinafter described; that I know of my own
knowledge, that surface waters have been taken for the purpose of
watering livestock from Fairy Creek running
(creek, river, spring, or lake)
thro or in, hereinafter described land, in Gallatin county, ever
since the 1 day of January, 1930, and that approximately
30 gallons per minute
miner's inches were so taken for watering livestock on
lands in Gallatin county, Montana, generally described as:

Section 9, Township 2N, Range 7E

Affiant makes this Affidavit for the purpose of establishing
a stockwater right on the lands above described.

Grace L. Blattie

1982.

SUBSCRIBED and SWORN to before me this 15 day of April

Calvin D. Lane
Notary Public for the State of Montana
Residing at Wilsall, Montana
My Commission Expires 4-24-85

EXHIBIT F**PRELIMINARY DECREE
SHIELDS RIVER
BASIN 43A
ABSTRACT OF WATER RIGHT CLAIM****IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE MONTANA WATER COURT AFTER ISSUANCE OF THE TEMPORARY PRELIMINARY DECREE OR BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE PREPARATION OF THIS PRELIMINARY DECREE. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 43A 191721-00 STATEMENT OF CLAIM

Version: 2 – REEXAMINED

Status: ACTIVE

**Owners: ROBERT RICHARD WADDELL
600 SEITZ RD E
WILLSALL, MT 59086 9527**

Priority Date: JUNE 10, 1930

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: FAIRY 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	8	2N	7E	GALLATIN	

Period of Diversion: JANUARY 1 TO DECEMBER 31

Add: N2SE Sec. 8, T2N, R7E, Gallatin

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	<u>Add</u>
1			SESESW	8	2N	7E	GALLATIN	N2SE Sec. 8, T2N, R7E, Gallatin

Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC PREPARATION OF THIS PRELIMINARY DECREE AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

STATE OF MONTANA

County of Gallatin

ss.

AFFIDAVIT

191721

Grace Blattie, after being first
duly sworn, deposed and says:

That my mailing address is Wilsall, Montana 59086
; That I am now and have been a resident of
Gallatin County, Montana; that I have been, beginning
about the month of January 1, 1930, familiar with stock-
water used on land, hereinafter described; that I know of my own
knowledge, that surface waters have been taken for the purpose of
watering livestock from Fairy Creek running
(creek, river, spring, or lake)
thro or in, hereinafter described land, in Gallatin county, ever
since the 1 day of January, 1930, and that approximately
30 gallons per minute
~~mineral~~ ~~water~~ were so taken for watering livestock on
lands in Gallatin county, Montana, generally described as:

Section 8, Township 2N, Range 7E

Affiant makes this Affidavit for the purpose of establishing
a stockwater right on the lands above described.

Grace L. Blattie

SUBSCRIBED and SWORN to before me this 25 day of February

1982.

Calvin W. Lane
Notary Public for the State of Montana
Residing at Wilsall, Montana
My Commission Expires 4-24-85

EXHIBIT G

**PRELIMINARY DECREE
SHIELDS RIVER
BASIN 43A
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE MONTANA WATER COURT AFTER ISSUANCE OF THE TEMPORARY PRELIMINARY DECREE OR BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE PREPARATION OF THIS PRELIMINARY DECREE. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 43A 191780-00 STATEMENT OF CLAIM

Version: 2 -- REEXAMINED

Status: ACTIVE

Owners: R RICHARD WADDELL
800 SEITZ ROAD EAST
WILSALL, MT 59086

SHARON L WADDELL
800 SEITZ ROAD E
WILSALL, MT 59086 9527

Priority Date: JANUARY 1, 1930

Type of Historical Right: USE

Purpose(uses): 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 CACHE CREEK

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>Tw</u>	<u>Rge</u>	<u>County</u>
1		NENENE	16	2N	7E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Add: SESE Sec. 9, T2N, R7E, Gallatin

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	Add: SESE Sec. 9, T2N, R7E, Gallatin
1			NENENE	16	2N	7E	GALLATIN	

Remarks:

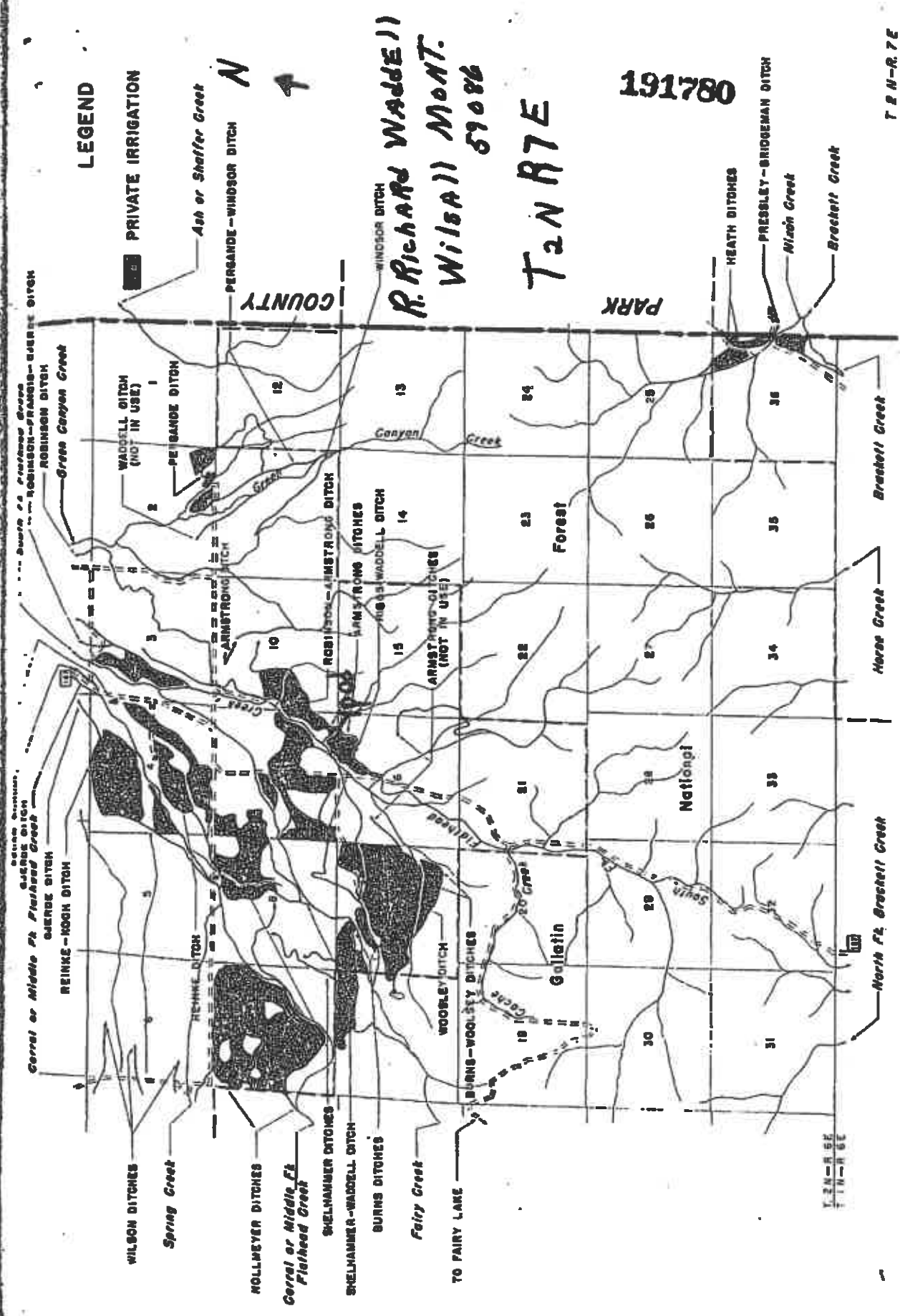
STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC PREPARATION OF THIS PRELIMINARY DECREE AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.



LEGEND

PRIVATE IRRIGATION

Ash or Shaffer Creek

PERGANDÉ-WINDSOR DITCH

N

COUNTY

R. RICHARD WADDELL
WILSON MONT.
59086

T2N R7E

191780

T2N-R7E

Source of Fishhead Creek

ROBINSON DITCH

Green Canyon Creek

WADDELL DITCH
(NOT IN USE)

PERGANDÉ DITCH

ROBINSON-ARMSTRONG DITCH

JAMES-ARMSTRONG DITCHES

HUGHES-WADDELL DITCH

ARMSTRONG DITCHES
(NOT IN USE)

Forest

PARK

HEATH DITCHES

PRESSLEY-BRIDGEMAN DITCH

Nelson Creek

Brackett Creek

Brackett Creek

Horse Creek

North Ft. Brackett Creek

Source of Fishhead Creek

REINKE DITCH

WILSON DITCHES

Spring Creek

HOLLMEYER DITCHES

Coral or Middle Ft. Flathead Creek

SHELHAMMER DITCHES

BURNS DITCHES

Fairy Creek

TO FAIRY LAKE

WOODLEY DITCH

BURNS-WOODLEY DITCHES

Gallatin

National

Section

T2N-R7E

STATE OF MONTANA :)
County of Gallatin)

ss.

AFFIDAVIT

191780

Grace Blattie, after being first
duly sworn, deposed and says:

That my mailing address is Wilsall, Montana 59086
; That I am now and have been a resident of
Gallatin County, Montana; that I have been, beginning
about the month of January 1, 1930, familiar with stock-
water used on land, hereinafter described; that I know of my own
knowledge, that surface waters have been taken for the purpose of
watering livestock from un-named stream running
(creek, river, spring, or lake)
thro or in, hereinafter described land, in Gallatin county, ever
since the 1 day of January, 1930, and that approximately
30 gallons per minute
miner's inches were so taken for watering livestock on
lands in Gallatin county, Montana, generally described as:
Section 16, Township 2N, Range 7E

Affiant makes this Affidavit for the purpose of establishing
a stockwater right on the lands above described.

Grace L. Blattie

SUBSCRIBED and SWORN to before me this 25 day of April,
1934.

Calvin D. Sauer
Notary Public for the State of Montana
Residing at Wilsall, Montana
My Commission Expires 4-24-35

EXHIBIT H

**PRELIMINARY DECREE
SHIELDS RIVER
BASIN 43A
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE MONTANA WATER COURT AFTER ISSUANCE OF THE TEMPORARY PRELIMINARY DECREE OR BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE PREPARATION OF THIS PRELIMINARY DECREE. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 43A 191781-00 STATEMENT OF CLAIM

Version: 3 -- REEXAMINED

Status: ACTIVE

***Owners:** SHARON L WADDELL
600 SEITZ ROAD E
WILLSALL, MT 59088 9527

R RICHARD WADDELL
600 SEITZ ROAD EAST
WILLSALL, MT 59088

Priority Date: JANUARY 1, 1830

Type of Historical Right: USE

Purpose(uses): 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: CACHE CREEK

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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	W2SW	SWSWSW	21	2N	7E	GALLATIN	

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		W2SW SWSWSW	21	2N	7E	GALLATIN	

Remarks:

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

SPLIT CLAIM NO. 43A 30043206 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC PREPARATION OF THIS PRELIMINARY DECREE AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

T 8 N-R. 76

STATE OF MONTANA :)

County of Gallatin)

ss.

AFFIDAVIT

191781

Grace Blattie, after being first
duly sworn, deposed and says:

That my mailing address is Wilsall, Montana 59086
; That I am now and have been a resident of
Gallatin County, Montana; that I have been, beginning
about the month of January 1, 1930, familiar with stock-
water used on land, hereinafter described; that I know of my own
knowledge, that surface waters have been taken for the purpose of
watering livestock from Cache Creek running
(creek, river, spring, or lake)
thro or in, hereinafter described land, in Gallatin county, ever
since the 1 day of January, 1930, and that approximately
30 gallons per minute
miner's inches were so taken for watering livestock on
lands in Gallatin county, Montana, generally described as:
Section 21, Township 2N, Range 7E

Affiant makes this Affidavit for the purpose of establishing
a stockwater right on the lands above described.

Grace L. Blattie

SUBSCRIBED and SWORN to before me this 25 day of Aug,
1932.

Calvin O. Jones
Notary Public for the State of Montana
Residing at Wilsall, Montana
My Commission Expires 4-24-35

EXHIBIT I

**PRELIMINARY DECREE
SHIELDS RIVER
BASIN 43A
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE MONTANA WATER COURT AFTER ISSUANCE OF THE TEMPORARY PRELIMINARY DECREE OR BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE PREPARATION OF THIS PRELIMINARY DECREE. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 43A 191783-00 STATEMENT OF CLAIM

Version: 2 - REEXAMINED

Status: ACTIVE

Owners: R RICHARD WADDELL
600 SEITZ ROAD EAST
WILSALL, MT 59086

SHARON L WADDELL
600 SEITZ ROAD E
WILSALL, MT 59086 9527

Priority Date: JANUARY 1, 1930

Type of Historical Right: USE

Purpose(s): 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 CACHE CREEK

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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N4N	16	2N	7E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N4W4SW	16	2N	7E	GALLATIN

Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

LEGEND

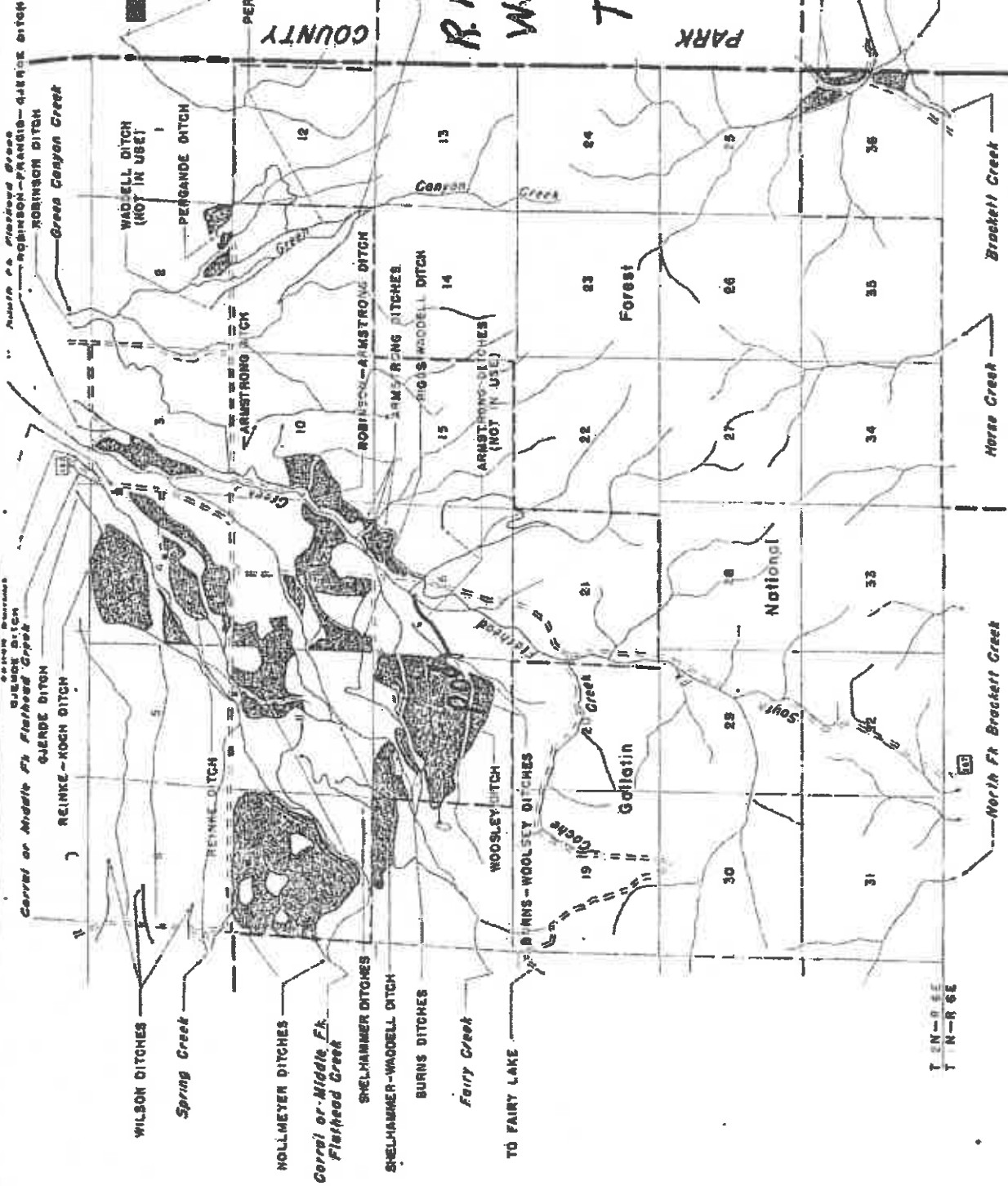
PRIVATE IRRIGATION

Ash or Shaffer Creek

PERGANDÉ - WINDSOR DITCH

N
↑

R. RICHARD WADDELL
WILSON MONT.
T2N R7E
59086



T2N-R7E
T1N-R6E

T2N-R7E

STATE OF MONTANA
County of Gallatin

ss.

AFFIDAVIT

191783

Grace Blattie, after being first
duly sworn, deposed and says:

That my mailing address is Wilsall, Montana 59086
; That I am now and have been a resident of
Gallatin County, Montana; that I have been, beginning
about the month of January 1, 1930, familiar with stock-
water used on land, hereinafter described; that I know of my own
knowledge, that surface waters have been taken for the purpose of
watering livestock from un-named stream running
(creek, river, spring, or lake)
thro or in, hereinafter described land, in Gallatin county, ever
since the 1 day of January, 1930, and that approximately
30 gallons per minute
minor's inches were so taken for watering livestock on
lands in Gallatin county, Montana, generally described as:

Section 16, Township 2N, Range 7E.

Affiant makes this Affidavit for the purpose of establishing
a stockwater right on the lands above described.

Grace L. Blattie

SUBSCRIBED and SWORN to before me this 25 day of April

1932.

Calvin D. Sams

Notary Public for the State of Montana

Residing at Wilsall, Montana

My Commission Expires 4-24-35

EXHIBIT J**PRELIMINARY DECREE****SHIELDS RIVER****BASIN 43A****ABSTRACT OF WATER RIGHT CLAIM****IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE MONTANA WATER COURT AFTER ISSUANCE OF THE TEMPORARY PRELIMINARY DECREE OR BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE PREPARATION OF THIS PRELIMINARY DECREE. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 43A 191784-00 STATEMENT OF CLAIM

Version: 2 – REEXAMINED

Status: ACTIVE

Owners: SHARON L WADDELL
600 SEITZ ROAD E
WILSALL, MT 59086 9527

R RICHARD WADDELL
600 SEITZ ROAD EAST
WILSALL, MT 59086

Priority Date: JANUARY 1, 1930

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: CACHE 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		SESWSW	16	2N	7E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Add: NESW Sec. 16, T2N, R7E, Gallatin

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

NENE Sec. 16, T2N, R7E, Gallatin

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			SESWSW	16	2N	7E	GALLATIN

Add: NESW Sec. 16, T2N, R7E, Gallatin

NENE Sec. 16, T2N, R7E, Gallatin

Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC PREPARATION OF THIS PRELIMINARY DECREE AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

STATE OF MONTANA :)

County of Gallatin)

ss.

AFFIDAVIT

191784

Grace Blattie, after being first
duly sworn, deposed and says:

That my mailing address is Wilsall, Montana 59086
; That I am now and have been a resident of
Gallatin County, Montana; that I have been, beginning
about the month of January 1, 1930, familiar with stock-
water used on land, hereinafter described; that I know of my own
knowledge, that surface waters have been taken for the purpose of
watering livestock from Cache Creek running
(creek, river, spring, or lake)
thro or in, hereinafter described land, in Gallatin county, ever
since the 1 day of January, 1930, and that approximately
30 gallons per minute
~~minor inches~~ were so taken for watering livestock on
lands in Gallatin county, Montana, generally described as:

Section 16, Township 2N, Range 37E

Affiant makes this Affidavit for the purpose of establishing
a stockwater right on the lands above described.

Grace L. Blattie

SUBSCRIBED and SWORN to before me, this 25 day of April

19 32

Calvin D. Sauer

Notary Public for the State of Montana

Residing at Wilsall, Montana

My Commission Expires 4-24-35

EXHIBIT K
PRELIMINARY DECREE
SHIELDS RIVER
BASIN 43A
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE MONTANA WATER COURT AFTER ISSUANCE OF THE TEMPORARY PRELIMINARY DECREE OR BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE PREPARATION OF THIS PRELIMINARY DECREE. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 43A 191785-00 STATEMENT OF CLAIM

Version: 2 - REEXAMINED

Status: ACTIVE

Owners: R RICHARD WADDELL
600 SEITZ ROAD EAST
WILSALL, MT 59086

SHARON L WADDELL
600 SEITZ ROAD E
WILSALL, MT 59086 9527

Priority Date: JANUARY 1, 1930

Type of Historical Right: USE

Purpose(uses): 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 CACHE 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	9	2N	7E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSWNE	9	2N	7E	GALLATIN

Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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COMPLETE DETAILS REGARDING THE DNRC PREPARATION OF THIS PRELIMINARY DECREE AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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STATE OF MONTANA

County of Gallatin

ss.

AFFIDAVIT

191785

Grace Blattie, after being first
duly sworn, deposed and says:

That my mailing address is Wilsall, Montana 59086
; That I am now and have been a resident of
Gallatin County, Montana; that I have been, beginning
about the month of January 1, 1930, familiar with stock-
water used on land, hereinafter described; that I know of my own
knowledge, that surface waters have been taken for the purpose of
watering livestock from un-named stream running
(creek, river, spring, or lake)
thro or in, hereinafter described land, in Gallatin county, ever
since the 1 day of January, 1930, and that approximately
30 gallons per minute were so taken for watering livestock on
lands in Gallatin county, Montana, generally described as:

Section 9, Township 2N, range 7E

Affiant makes this Affidavit for the purpose of establishing
a stockwater right on the lands above described.

Grace L. Blattie

SUBSCRIBED and SWORN to before me this 1st day of August,
1932.

Calvin D. Sauer
Notary Public for the State of Montana
Residing at Wilsall, Montana
My Commission Expires 4-24-35

EXHIBIT L**PRELIMINARY DECREE
SHIELDS RIVER
BASIN 43A
ABSTRACT OF WATER RIGHT CLAIM****IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE MONTANA WATER COURT AFTER ISSUANCE OF THE TEMPORARY PRELIMINARY DECREE OR BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE PREPARATION OF THIS PRELIMINARY DECREE. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 43A 191786-00 STATEMENT OF CLAIM

Version: 2 - REEXAMINED

Status: ACTIVE

Owners: SHARON L WADDELL
600 SEITZ ROAD E
WILSALL, MT 59086 9527

R RICHARD WADDELL
600 SEITZ ROAD EAST
WILSALL, MT 59086

Priority Date: JANUARY 1, 1930

Type of Historical Right: USE

Purpose(uses): 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.

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Source Name: CACHE 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	W2	SWSWNW	10	2N	7E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		W2	SWSWNW	10	2N	7E	GALLATIN

Remarks:

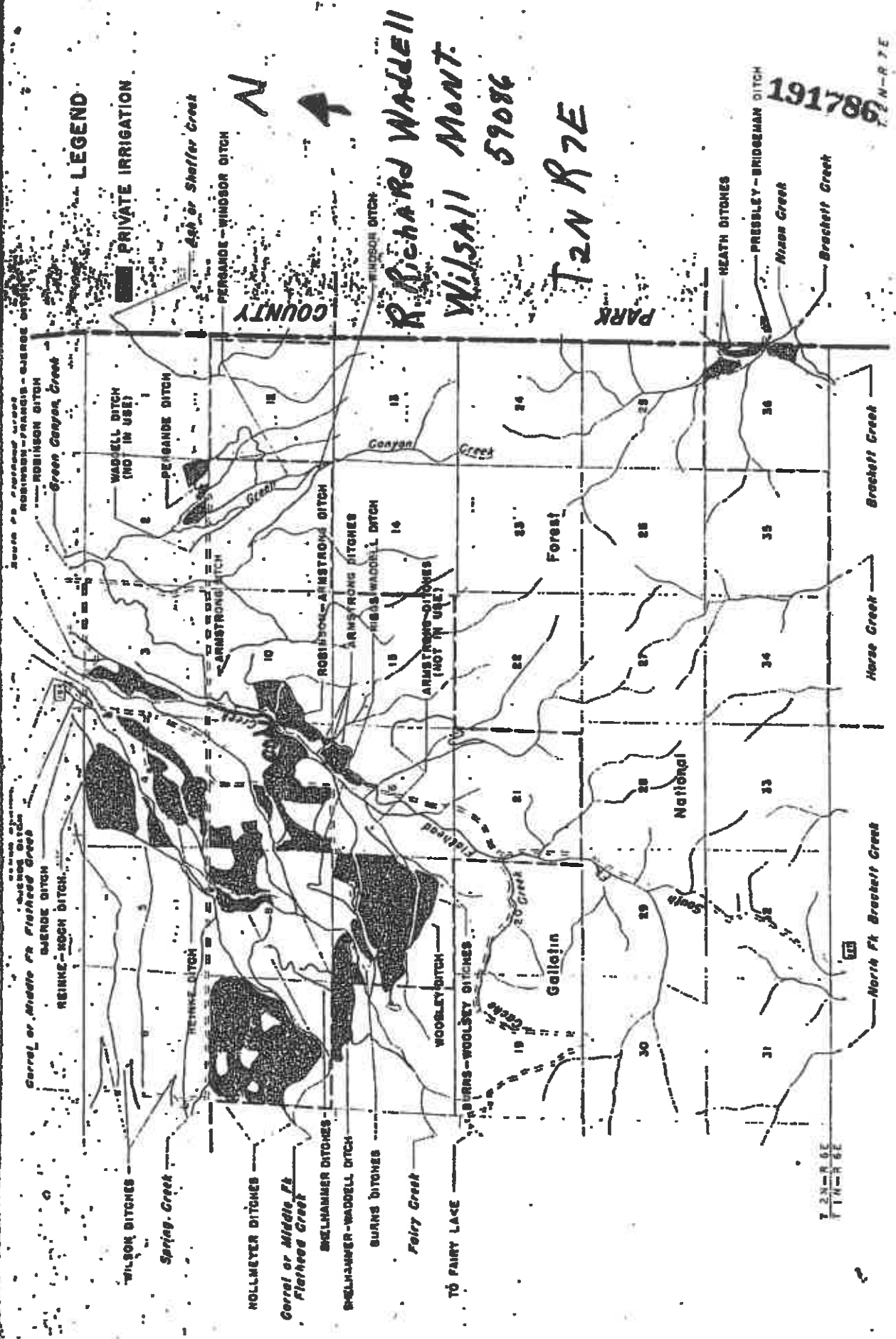
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LEGEND

PRIVATE IRRIGATION

FISH OR SHAFFER CREEK

PERGANDÉ-WINDSON DITCH

COUNTY

RICHARD WADDELL
WILSON MONT.
59086

T2N R7E

PARK

HEATH DITCHES

PRESBLY-BRIDGMAN DITCH

191786

NIXON CREEK

BRACKETT CREEK

HORSE CREEK

NORTH FT. BRACKETT CREEK

1 MILE

STATE OF MONTANA

County of Gallatin

ss.

AFFIDAVIT

191786

Grace Blattie, after being first
duly sworn, deposed and says:

That my mailing address is Wilsall, Montana 59086

 ; That I am now and have been a resident of
Gallatin County, Montana; that I have been, beginning
about the month of January 1, 1930, familiar with stock-
water used on land, hereinafter described; that I know of my own
knowledge, that surface waters have been taken for the purpose of
watering livestock from Cache Creek running
(creek, river, spring, or lake)
thro or in, hereinafter described land, in Gallatin county, ever
since the 1 day of January, 1930, and that approximately
30 gallons per minute
mineral inches were so taken for watering livestock on
lands in Gallatin county, Montana, generally described as:

Section 10, Township 2N, Range 7E

Affiant makes this Affidavit for the purpose of establishing
a stockwater right on the lands above described.

Grace L. Blattie

SUBSCRIBED and SWORN to before me this 1st day of June

1932.

Calvin D. Jones
Notary Public for the State of Montana

Residing at Wilsall, Montana

My Commission Expires 4-24-85

EXHIBIT M**PRELIMINARY DECREE
SHIELDS RIVER
BASIN 43A
ABSTRACT OF WATER RIGHT CLAIM****IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE MONTANA WATER COURT AFTER ISSUANCE OF THE TEMPORARY PRELIMINARY DECREE OR BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE PREPARATION OF THIS PRELIMINARY DECREE. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

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Water Right Number: 43A 191787-00 STATEMENT OF CLAIM

Version: 2 - REEXAMINED

Status: ACTIVE

Owners:

**SHARON L WADDELL
600 SEITZ ROAD E
WILLSALL, MT 59086 9527**

**R RICHARD WADDELL
600 SEITZ ROAD EAST
WILLSALL, MT 59086**

Priority Date: JANUARY 1, 1930

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 CACHE 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	WSESE	9	2N	7E GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSESE	9	2N	7E	GALLATIN

Remarks:

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

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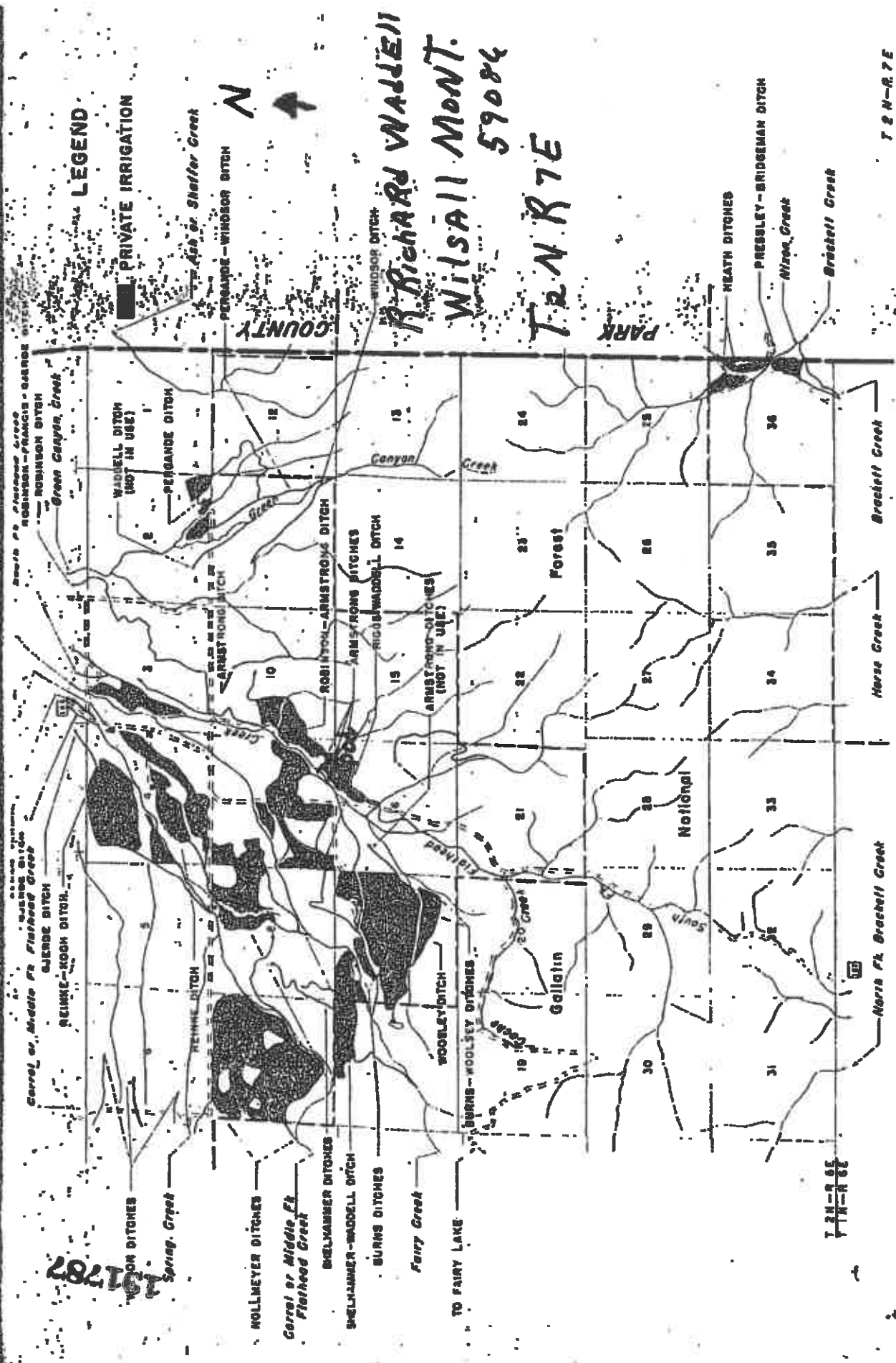
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1787

LEGEND

PRIVATE IRRIGATION



RICHARD WADDELL
WILSALL MONT.
59084
TENN. R7E

T 2 N - R 7 E

T 2 N - R 6 E
T 2 N - R 7 E

STATE OF MONTANA)
County of Gallatin)

ss.

AFFIDAVIT

191787

Grace Blattie, after being first
duly sworn, deposed and says:

That my mailing address is Wilsall, Montana 59086
; That I am now and have been a resident of
Gallatin County, Montana; that I have been, beginning
about the month of January 1, 1930, familiar with stock-
water used on land, hereinafter described; that I know of my own
knowledge, that surface waters have been taken for the purpose of
watering livestock from un-named stream running
(creek, river, spring, or lake)
thro or in, hereinafter described land, in Gallatin county, ever
since the 13 day of January, 1930, and that approximately
30 gallons per minute
mineral inches were so taken for watering livestock on
lands in Gallatin county, Montana, generally described as:

Section 9, Township 2N, Range 7 E

Affiant makes this Affidavit for the purpose of establishing
a stockwater right on the lands above described.

Grace L. Blattie

SUBSCRIBED and SWORN to before me this 28 day of April

1932.

Calvin D. Jones

Notary Public for the State of Montana
Residing at Wilsall, Montana
My Commission Expires 4-24-35

EXHIBIT N

**PRELIMINARY DECREE
SHIELDS RIVER
BASIN 43A
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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Water Right Number: 43A 191788-00 STATEMENT OF CLAIM

Version: 2 - REEXAMINED

Status: ACTIVE

Owners:
R RICHARD WADDELL
600 SEITZ ROAD EAST
WILSALL, MT 59086

SHARON L WADDELL
600 SEITZ ROAD E
WILSALL, MT 59086 9527

Priority Date: JANUARY 1, 1930

Type of Historical Right: USE

Purpose(uses): 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.

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Source Name: UNNAMED TRIBUTARY OF CACHE 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		NENSW	15	2N	7E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Add: NW Sec. 15, T2N, R7E, Gallatin

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	Add: NW Sec. 15, T2N, R7E, Gallatin
1			NENESW	15	2N	7E	GALLATIN	

Remarks:

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LEGEND

PRIVATE IRRIGATION

ASH or Shaffer Creek

PERGANDU - WINDSOR DITCH

N



RICHARD WADDELL
WILSON MONT.
59086
T2N R7E

PARK

HEATH DITCHES

PRESSLEY-BRIDGEMAN DITCH

Nixon Creek

Brackell Creek

T2N-R7E

8947151

WILSON DITCHES

Corral or Middle Fl. Flathead Creek

QUERDE DITCH

REINKE-KOCH DITCH

Spring Creek

MOLLMEYER DITCHES

Corral or Middle Fl. Flathead Creek

SHELHAMMER DITCHES

SHELHAMMER-WADDELL DITCH

BURNS DITCHES

Fairy Creek

TO FAIRY LAKE

BURNS-WOOLSEY DITCHES

WOOLSEY DITCH

Gallatin

National

North Fl. Brackell Creek

Horse Creek

Brackell Creek

WADDELL DITCH (NOT IN USE)

PERGANDU DITCH

ARMSTRONG DITCH

ROBINSON-ARMSTRONG DITCH

ARMSTRONG DITCHES

WADDELL DITCH (NOT IN USE)

PERGANDU DITCH

ARMSTRONG DITCH

ROBINSON-ARMSTRONG DITCH

ARMSTRONG DITCHES

WADDELL DITCH (NOT IN USE)

PERGANDU DITCH

ARMSTRONG DITCH

ROBINSON-ARMSTRONG DITCH

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WADDELL DITCH (NOT IN USE)

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ARMSTRONG DITCH

ROBINSON-ARMSTRONG DITCH

STATE OF MONTANA)
County of Gallatin)

ss.

AFFIDAVIT

191788

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watering livestock from un-named stream running
(creek, river, spring, or lake)
thro or in, hereinafter described land, in Gallatin county, ever
since the 1 day of January, 1930, and that approximately
30 gallons per minute
miner's inches were so taken for watering livestock on
lands in Gallatin county, Montana, generally described as:

Section 15, Township 2N, Range 7E

Affiant makes this Affidavit for the purpose of establishing
a stockwater right on the lands above described.

Grace L. Blattie

SUBSCRIBED and SWORN to before me this 25 day of March

19 31

Calvin K. Lawer

Notary Public for the State of Montana

Residing at Wilsall, Montana

My Commission Expires 4-24-85

EXHIBIT O

**PRELIMINARY DECREE
SHIELDS RIVER
BASIN 43A
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE MONTANA WATER COURT AFTER ISSUANCE OF THE TEMPORARY PRELIMINARY DECREE OR BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE PREPARATION OF THIS PRELIMINARY DECREE. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 43A 191789-00 STATEMENT OF CLAIM

Version: 2 - REEXAMINED

Status: ACTIVE

Owners: SHARON L WADDELL
600 SEITZ ROAD E
WILSALL, MT 59086 9527

R RICHARD WADDELL
600 SEITZ ROAD EAST
WILSALL, MT 59086

Priority Date: JANUARY 1, 1930

Type of Historical Right: USE

Purpose(uses): 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 CACHE CREEK

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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSESW	15	2N	7E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSESW	15	2N	7E	GALLATIN

Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC PREPARATION OF THIS PRELIMINARY DECREE AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

LEGEND

PRIVATE IRRIGATION

N

PERSANDE - WINDSOR DITCH

Ash or Shaffer Creek

WINDSOR DITCH

RICHARD WADDELL

WILSON MONT.

59086

T2N R7E

PARK

HEATH DITCHES

PRESSLEY-BRIDGEMAN DITCH

Nixon Creek

Brackell Creek

Brackell Creek

Horse Creek

North Ft. Brackell Creek

ROBINSON-PRACERS-SWEENEY DITCH

ROBINSON DITCH

Green Canyon Creek

WADDELL DITCH (NOT IN USE)

PERSANDE DITCH

ARMSTRONG DITCH

ROBINSON-ARMSTRONG DITCH

ARMSTRONG DITCHES

RIGGS-WADDELL DITCH

ARMSTRONG DITCHES (NOT IN USE)

POD

Forest

National

South

Gallatin

20 Creek

WOOLLEY DITCH

BERNS-WOOLLEY DITCHES

TO FAIRY LAKE

Fairy Creek

BURNS DITCHES

SHELSWATER-WADDELL DITCH

SHELSWATER DITCHES

HOLLMEYER DITCHES

Spring Creek

WILSON DITCHES

REINER-KOON DITCH

BUENDE DITCH

Garret or Middle Ft. Plattehead Canyon

Garret or Middle Ft. Plattehead Canyon

191789

T2N R7E

STATE OF MONTANA :)

County of Gallatin)

ss.

AFFIDAVIT

191789

Grace Blattie, after being first
duly sworn, deposed and says:

That my mailing address is Wilsall, Montana 59086
; That I am now and have been a resident of
Gallatin County, Montana; that I have been, beginning
about the month of January 1, 1930, familiar with stock-
water used on land, hereinafter described; that I know of my own
knowledge, that surface waters have been taken for the purpose of
watering livestock from un-named Stream running
(creek, river, spring, or lake)
thro or in, hereinafter described land, in Gallatin county, ever
since the 1 day of January, 1930, and that approximately
30 gallons per minute
~~minor inches~~ were so taken for watering livestock on
lands in Gallatin county, Montana, generally described as:

Section 15, Township 2N, Range 7E

Affiant makes this Affidavit for the purpose of establishing
a stockwater right on the lands above described.

Grace I. Blattie

1982.

SUBSCRIBED and SWORN to before me this 24 day of April

Calvin D. Larver

Notary Public for the State of Montana

Residing at Wilsall, Montana

My Commission Expires 4-24-85

EXHIBIT P

**PRELIMINARY DECREE
SHIELDS RIVER
BASIN 43A
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 43A 191791-00 STATEMENT OF CLAIM

Version: 2 - REEXAMINED

Status: ACTIVE

Owners: R RICHARD WADDELL
600 SEITZ ROAD EAST
WILSALL, MT 59086

SHARON L WADDELL
600 SEITZ ROAD E
WILSALL, MT 59086 9527

Priority Date: JANUARY 1, 1930

Type of Historical Right: USE

Purpose(uses): 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 CACHE 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	16	2N	7E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Add: NESW Sec. 16, T2N, R7E, Gallatin

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	<u>Add</u>
1			SESESW	16	2N	7E	GALLATIN	NESW Sec. 16, T2N, R7E, Gallatin

Remarks:

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

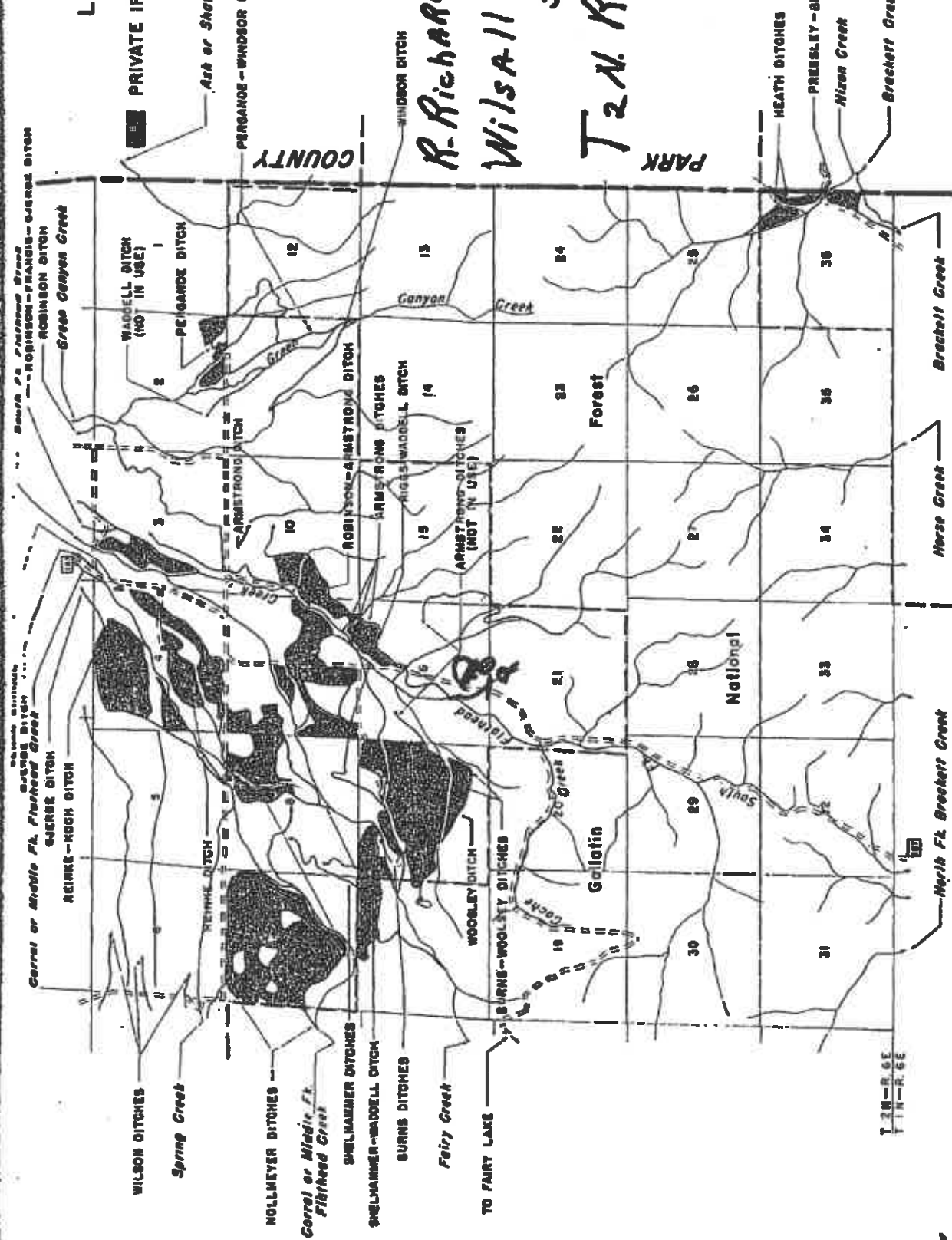
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC PREPARATION OF THIS PRELIMINARY DECREE AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

REF: 24-472



STATE OF MONTANA)

County of Gallatin)

ss.

AFFIDAVIT

191791

Grace Blattie, after being first
duly sworn, depösed and says:

That my mailing address is Wilsall, Montana 59086

; That I am now and have been a resident of
Gallatin County, Montana; that I have been, beginning
about the month of January 1, 1930, familiar with stock-
water used on land, hereinafter described; that I know of my own
knowledge, that surface waters have been taken for the purpose of
watering livestock from un-named stream running
(creek, river, spring, or lake)
thro or in, hereinafter described land, in Gallatin county, ever
since the 1 day of January, 1930, and that approximately
30 gallons per minute
minor's inches were so taken for watering livestock on
lands in Gallatin county, Montana, generally described as:

Section 16, Township 2N, Range 7E

Affiant makes this Affidavit for the purpose of establishing
a stockwater right on the lands above described.

Grace L. Blattie

SUBSCRIBED and SWORN to before me this 25 day of April

1932

Calvin D. Lums
Notary Public for the State of Montana

Residing at Wilsall, Montana

My Commission Expires 4-24-85

EXHIBIT Q**PRELIMINARY DECREE
SHIELDS RIVER
BASIN 43A
ABSTRACT OF WATER RIGHT CLAIM****IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE MONTANA WATER COURT AFTER ISSUANCE OF THE TEMPORARY PRELIMINARY DECREE OR BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE PREPARATION OF THIS PRELIMINARY DECREE. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 43A 191792-00 STATEMENT OF CLAIM

Version: 2 -- REEXAMINED

Status: ACTIVE

Owners: SHARON L WADDELL
600 SEITZ ROAD E
WILSALL, MT 59086 9527

R.RICHARD WADDELL
600 SEITZ ROAD EAST
WILSALL, MT 59086

Priority Date: JANUARY 1, 1930

Type of Historical Right: USE

Purpose(uses): 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 CACHE 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		SENESE	21	2N	7E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 1

Add: E2NE Sec. 21, T2N, R7E, Gallatin

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	Addr: E2NE Sec. 21, T2N, R7E, Gallatin
1			SENESE	21	2N	7E	GALLATIN	

Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC PREPARATION OF THIS PRELIMINARY DECREE AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59711-1389.

EXHIBIT R

**PRELIMINARY DECREE
SHIELDS RIVER
BASIN 43A
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE MONTANA WATER COURT AFTER ISSUANCE OF THE TEMPORARY PRELIMINARY DECREE OR BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE PREPARATION OF THIS PRELIMINARY DECREE. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 43A 191793-00 STATEMENT OF CLAIM

Version: 3 -- REEXAMINED

Status: ACTIVE

***Owners:**

SHARON L WADDELL
600 SEITZ ROAD E
WILSALL, MT 59086 9527

R RICHARD WADDELL
600 SEITZ ROAD EAST
WILSALL, MT 59086

Priority Date: JANUARY 1, 1930

Type of Historical Right: USE

Purpose(uses): 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.

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Source Name: UNNAMED TRIBUTARY OF CACHE CREEK

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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SW	N	SW	21	2N 7E GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNWSW	21	2N	7E	GALLATIN

Remarks:

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

SPLIT CLAIM NO. 43A 30043207 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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LEGEND

PRIVATE IRRIGATION

Ash or Shaffer Creek

PERMANENT - WINDSOR DITCH

COUNTY

N

WINDSOR DITCH

R. RICHARD WADDELL

WILSON MONT.

5904

T2N R7E

191793

N-R 7 E

Green Canyon Creek

WADDELL DITCH (NOT IN USE)

PERMANENT DITCH

ARMSTRONG DITCH

ROBINSON - ARMSTRONG DITCH

ARMSTRONG DITCHES

ARMSTRONG DITCH (NOT IN USE)

Forest

Brackets Creek

Horse Creek

National

Gallatin

South

TO FAIRY LAKE

Fairy Creek

BURNS - WOOLLEY DITCHES

WOOLLEY DITCH

SHELHAMMER DITCHES

SHELHAMMER - WADDELL DITCH

BURNS DITCHES

Corral or Middle Ft Flothead Creek

WILSON DITCHES

Spring Creek

REINKE DITCH

REINKE - KOCH DITCH

Corral or Middle Ft Flothead Creek

Green Canyon Creek

WADDELL DITCH (NOT IN USE)

PERMANENT DITCH

ARMSTRONG DITCH

ROBINSON - ARMSTRONG DITCH

ARMSTRONG DITCHES

ARMSTRONG DITCH (NOT IN USE)

Forest

Brackets Creek

Horse Creek

National

Gallatin

South

TO FAIRY LAKE

Fairy Creek

BURNS - WOOLLEY DITCHES

WOOLLEY DITCH

SHELHAMMER DITCHES

SHELHAMMER - WADDELL DITCH

BURNS DITCHES

Corral or Middle Ft Flothead Creek

WILSON DITCHES

Spring Creek

REINKE DITCH

REINKE - KOCH DITCH

Corral or Middle Ft Flothead Creek

Green Canyon Creek

WADDELL DITCH (NOT IN USE)

PERMANENT DITCH

ARMSTRONG DITCH

ROBINSON - ARMSTRONG DITCH

ARMSTRONG DITCHES

ARMSTRONG DITCH (NOT IN USE)

Forest

Brackets Creek

Horse Creek

National

Gallatin

South

TO FAIRY LAKE

Fairy Creek

BURNS - WOOLLEY DITCHES

WOOLLEY DITCH

SHELHAMMER DITCHES

SHELHAMMER - WADDELL DITCH

BURNS DITCHES

Corral or Middle Ft Flothead Creek

WILSON DITCHES

Spring Creek

REINKE DITCH

REINKE - KOCH DITCH

Corral or Middle Ft Flothead Creek

Green Canyon Creek

WADDELL DITCH (NOT IN USE)

PERMANENT DITCH

ARMSTRONG DITCH

ROBINSON - ARMSTRONG DITCH

ARMSTRONG DITCHES

ARMSTRONG DITCH (NOT IN USE)

Forest

Brackets Creek

Horse Creek

National

STATE OF MONTANA :)

County of Gallatin)

ss.

AFFIDAVIT

191793

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; That I am now and have been a resident of
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water used on land, hereinafter described; that I know of my own
knowledge, that surface waters have been taken for the purpose of
watering livestock from un-named stream running
(creek, river, spring, or lake)
thro or in, hereinafter described land, in Gallatin county, ever
since the 1 day of January, 1930, and that approximately
30 gallons per minute
~~mineral~~ inches were so taken for watering livestock on
lands in Gallatin county, Montana, generally described as:

Section 21, Township 2N . Range 7E

Affiant makes this Affidavit for the purpose of establishing
a stockwater right on the lands above described.

Grace L. Blattie

SUBSCRIBED and SWORN to before me, this 24 day of March

19 30

Calvin D. Sawyer

Notary Public for the State of Montana
Residing at Wilsall, Montana
My Commission Expires 4-24-35

EXHIBIT S

**PRELIMINARY DECREE
SHIELDS RIVER
BASIN 43A
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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Water Right Number: 43A 191796-00 STATEMENT OF CLAIM

Version: 2 -- REEXAMINED

Status: ACTIVE

Owners: R RICHARD WADDELL
600 SEITZ ROAD EAST
WILSALL, MT 59086

SHARON L WADDELL
600 SEITZ ROAD E
WILSALL, MT 59086 9527

Priority Date: JANUARY 1, 1930

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 CACHE CREEK

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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENENE	21	2N	7E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENENE	21	2N	7E	GALLATIN

Remarks:

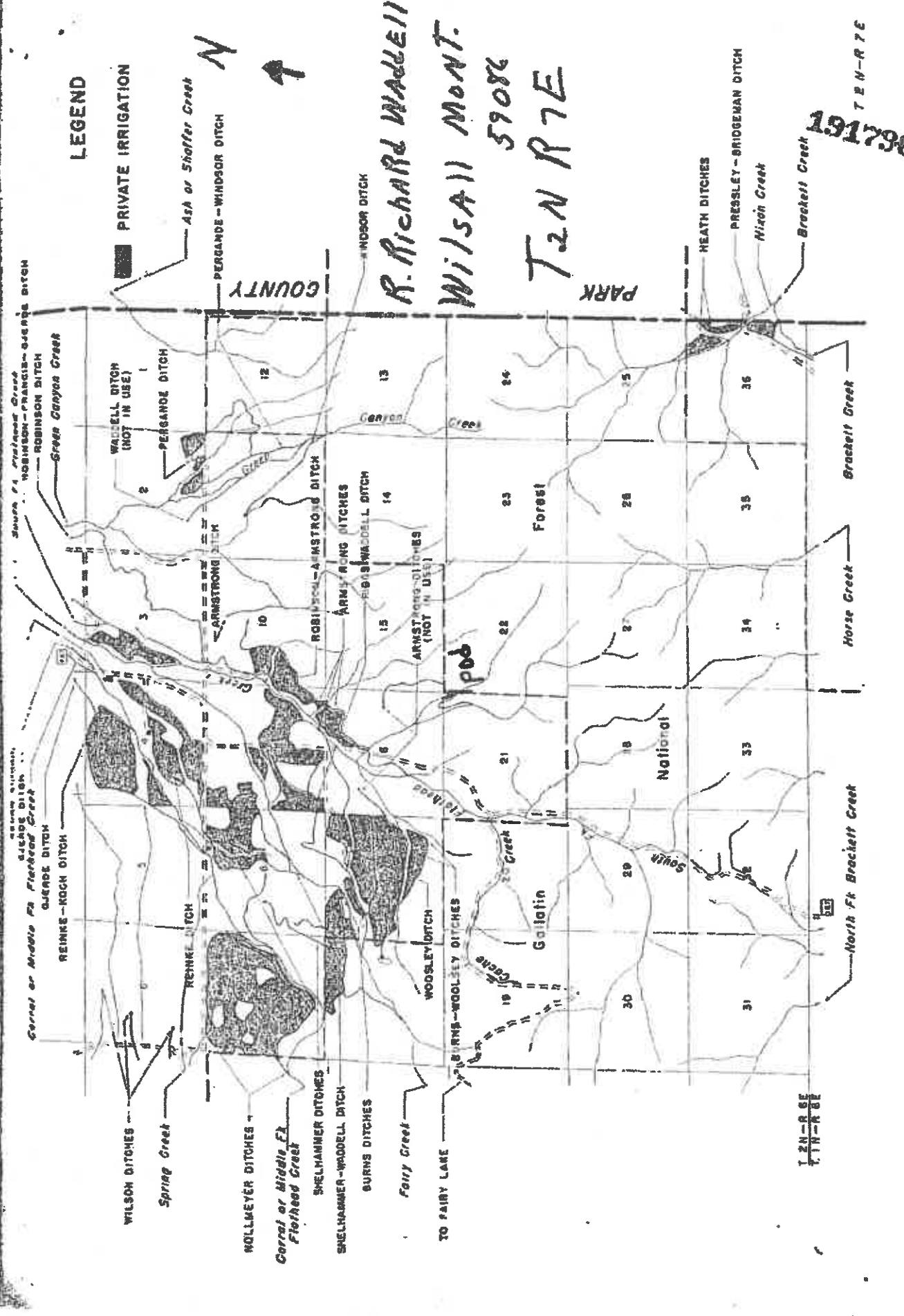
STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC PREPARATION OF THIS PRELIMINARY DECREE AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.



LEGEND

PRIVATE IRRIGATION

Ash or Shaffer Creek

PERSANDE - WINDSOR DITCH

COUNTY

WINDSOR DITCH

ROBINSON - ARMSTRONG DITCH

ARMSTRONG DITCHES

ARMSTRONG DITCHES (NOT IN USE)

pop

Forest

PARK

HEATH DITCHES

PRESSLEY - BRIDGEMAN DITCH

Niagin Creek

Brackett Creek

Brackett Creek

Horse Creek

North Ft. Brackett Creek

T2N-R7E

191736

T2N-R7E

R. Richard Wadell

Wilsa Mont.

5908

T2N R7E

STATE OF MONTANA :)

County of Gallatin)

ss.

AFFIDAVIT

191796

Grace Blattie, after being first
duly sworn, deposed and says:

That my mailing address is Wilsall, Montana 59086
; That I am now and have been a resident of
Gallatin County, Montana; that I have been, beginning
about the month of January 1, 1930, familiar with stock-
water used on land, hereinafter described; that I know of my own
knowledge, that surface waters have been taken for the purpose of
watering livestock from un-named stream running
(creek, river, spring, or lake)
thro or in, hereinafter described land, in Gallatin county, ever
since the 1 day of January, 1930, and that approximately
30 gallons per minute
minor inches were so taken for watering livestock on
lands in Gallatin county, Montana, generally described as:
section 21, Township 2N, Range 7 E

Affiant makes this Affidavit for the purpose of establishing
a stockwater right on the lands above described.

Grace L. Blattie

1932.

SUBSCRIBED and SWORN to before me this 15 day of April

Calvin H. Davis

Notary Public for the State of Montana
Residing at Wilsall, Montana
My Commission Expires 4-24-35

EXHIBIT T

**PRELIMINARY DECREE
SHIELDS RIVER
BASIN 43A
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE MONTANA WATER COURT AFTER ISSUANCE OF THE TEMPORARY PRELIMINARY DECREE OR BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE PREPARATION OF THIS PRELIMINARY DECREE. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 43A 191798-00 STATEMENT OF CLAIM

Version: 2 – REEXAMINED

Status: ACTIVE

Owners:

**R RICHARD WADDELL
600 SEITZ ROAD EAST
WILLSALL, MT 59086**

**SHARON L WADDELL
600 SEITZ ROAD E
WILLSALL, MT 59086 9527**

Priority Date: JANUARY 1, 1930

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: FAIRY CREEK

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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N	W	S	9	2N	7E GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSWNE	9	2N	7E	GALLATIN

Remarks:

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

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC PREPARATION OF THIS PRELIMINARY DECREE AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-888-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

LEGEND

PRIVATE IRRIGATION

ASH or Shaffer Creek

PERGANDS - WINDSOR DITCH

COUNTY

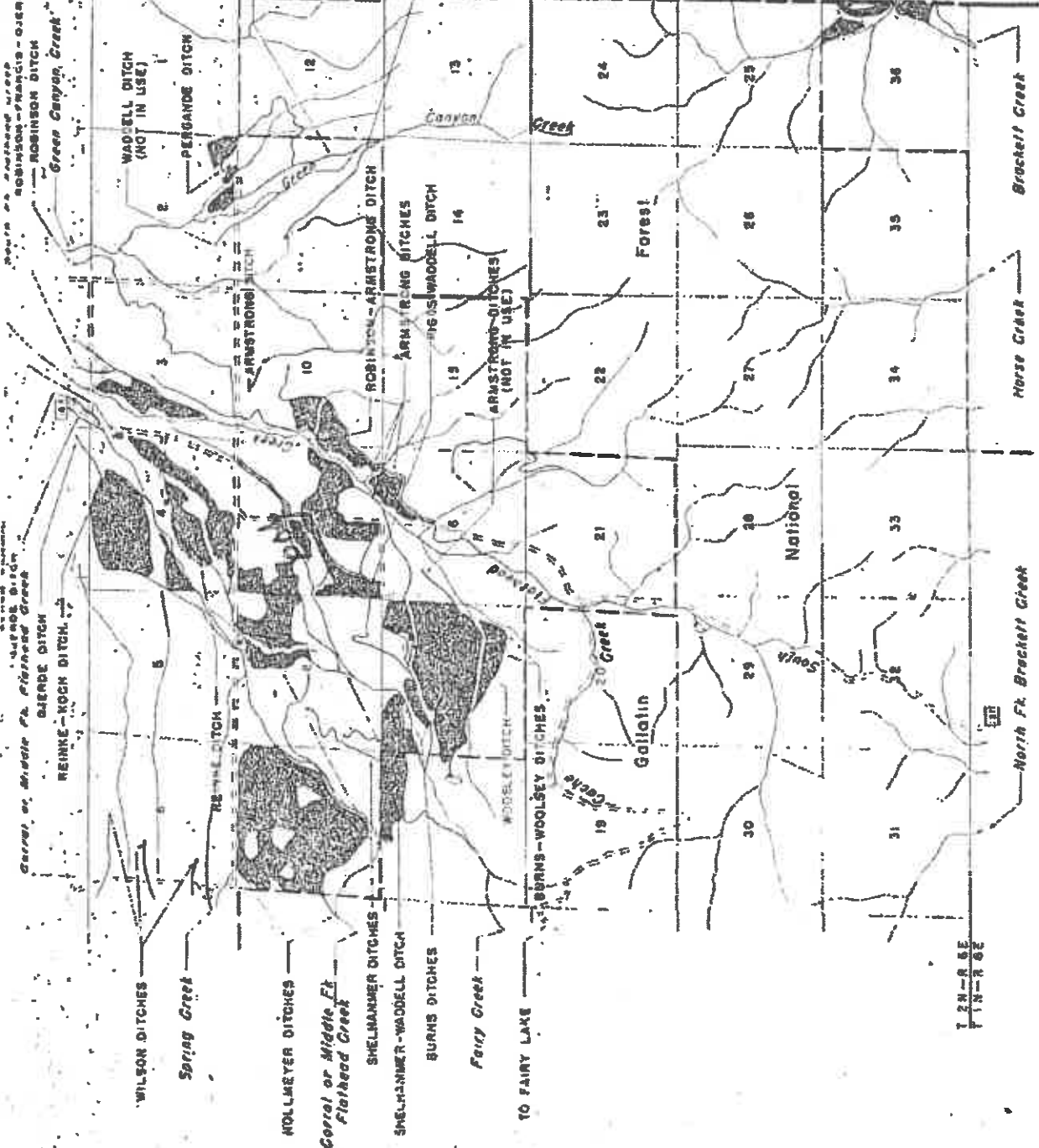
RECHAR WADDELL
WILSAI ACANT.

59086

T2N R7E

191798

T2N-R7E



STATE OF MONTANA :)
County of Gallatin)

ss.

AFFIDAVIT

191798

Grace Blattie, after being first
duly sworn, deposed and says:

That my mailing address is Wilsall, Montana 59086
; That I am now and have been a resident of
Gallatin County, Montana; that I have been, beginning
about the month of January 1, 1930, familiar with stock-
water used on land, hereinafter described; that I know of my own
knowledge, that surface waters have been taken for the purpose of
watering livestock from Fairy Creek running
(creek, river, spring, or lake)
thro or in, hereinafter described land, in Gallatin county, ever
since the 1 day of January, 1930, and that approximately
30 gallons per minute
minor's inches were so taken for watering livestock on
lands in Gallatin county, Montana, generally described as:

Section 9, Township 2N, Range 7E

Affiant makes this Affidavit for the purpose of establishing
a stockwater right on the lands above described.

Grace L. Blattie

SUBSCRIBED and SWORN to before me this 25 day of April

1932.

Calvin D. Savage

Notary Public for the State of Montana
Residing at Wilsall, Montana
My Commission Expires 4-24-35

EXHIBIT U

**PRELIMINARY DECREE
SHIELDS RIVER
BASIN 43A
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE MONTANA WATER COURT AFTER ISSUANCE OF THE TEMPORARY PRELIMINARY DECREE OR BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE PREPARATION OF THIS PRELIMINARY DECREE. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 43A 191801-00 STATEMENT OF CLAIM

Version: 2 - REEXAMINED

Status: ACTIVE

Owners:

**R RICHARD WADDELL
800 SEITZ ROAD EAST
WILSALL, MT 59086**

**SHARON L WADDELL
800 SEITZ ROAD E
WILSALL, MT 59086 9527**

Priority Date: JANUARY 1, 1930

Type of Historical Right: USE

Purpose(uses): 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 CACHE CREEK

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>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNE	16		2N	7E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSWNE	16	2N	7E	GALLATIN

Remarks:

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

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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING SUBBASINS OR BASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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LEGEND

PRIVATE IRRIGATION

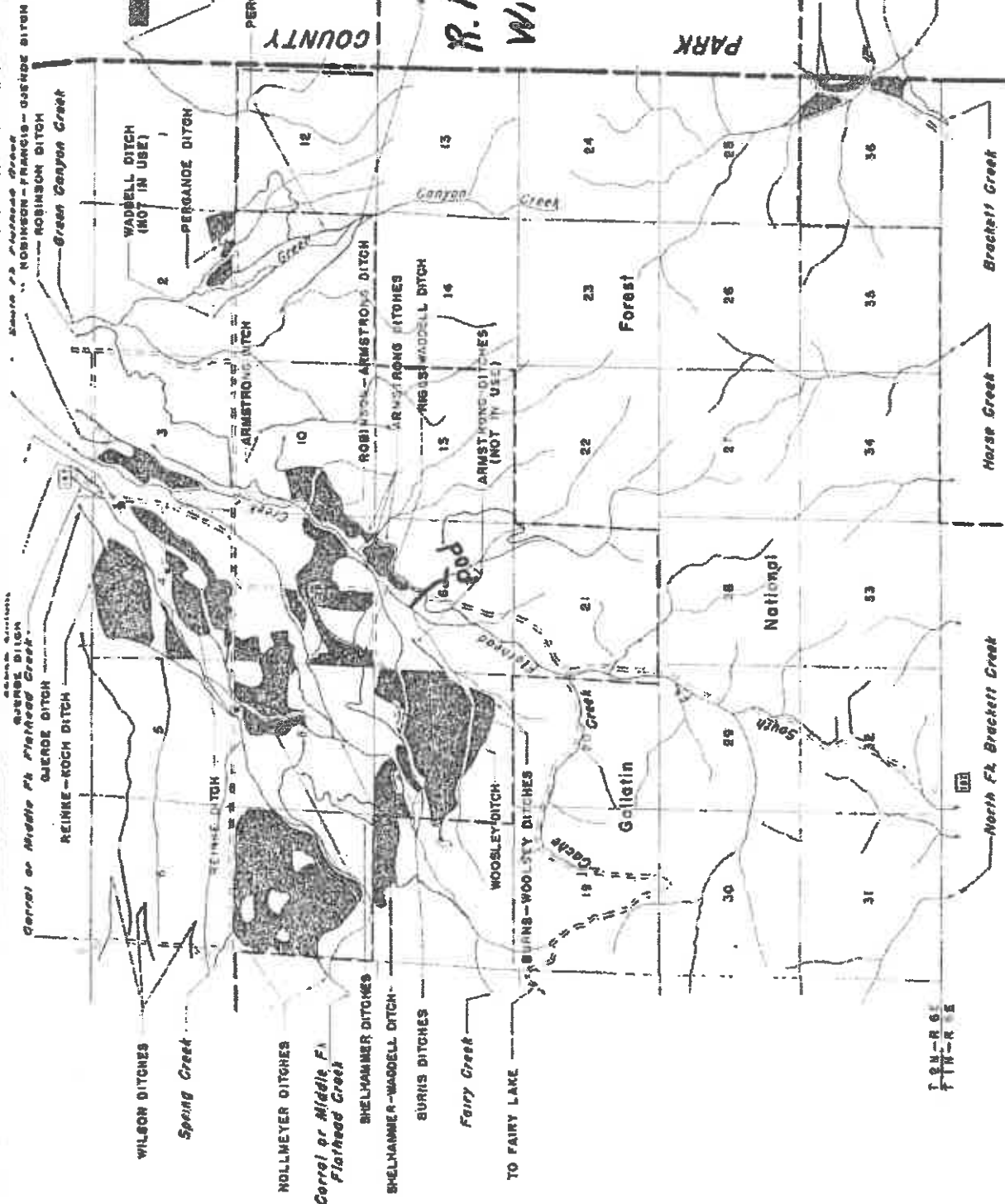
Ash or Shaffer Creek

PERGANDUE-WINDSOR DITCH

COUNTY

N
A

R. RICHARD WADDELL
WILSON MONT.
59086



T 2 N - R 6 E

107

191801

T 2 N - R 7 E

STATE OF MONTANA

County of Gallatin

ss.

AFFIDAVIT

191801

Grace Blattie, after being first
duly sworn, deposed and says:

That my mailing address is Wilsall, Montana 59086

; That I am now and have been a resident of
Gallatin County, Montana; that I have been, beginning
about the month of January 1, 1930, familiar with stock-
water used on land, hereinafter described; that I know of my own
knowledge, that surface waters have been taken for the purpose of
watering livestock from un-named stream running
(creek, river, spring, or lake)
thro or in, hereinafter described land, in Gallatin county, ever
since the 1 day of January, 1930, and that approximately
30 gallons per minute
~~minor 6 inches~~ were so taken for watering livestock on
lands in Gallatin county, Montana, generally described as:

Section 16, Township 2N, Range 7E

Affiant makes this Affidavit for the purpose of establishing
a stockwater right on the lands above described.

Grace L. Blattie

SUBSCRIBED and SWORN to before me this 15 day of January,
1930.

1930.

Calvin D. Lawrence

Notary Public for the State of Montana

Residing at Wilsall, Montana

My Commission Expires 4-24-35

EXHIBIT V

**PRELIMINARY DECREE
SHIELDS RIVER
BASIN 43A
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 43A 191803-00 STATEMENT OF CLAIM

Version: 2 - REEXAMINED

Status: ACTIVE

Owners: R RICHARD WADDELL
600 SEITZ ROAD EAST
WILSALL, MT 59086

SHARON L WADDELL
600 SEITZ ROAD E
WILSALL, MT 59086 9527

Priority Date: JANUARY 1, 1930

Type of Historical Right: USE

Purpose(uses): 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: CACHE 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		SWSWSE	9	2N	7E	GALLATIN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSWSE	9	2N	7E	GALLATIN

Remarks:

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

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LEGEND

PRIVATE IRRIGATION

WADSWELL DITCH (NOT IN USE)

PERGANDÉ DITCH

Ash or Shaffer Creek

PERGANDÉ - WINDSOR DITCH

COUNTY

WINDSOR DITCH

R. RICHARD WADDELL

WILSON MONT.

59086

T2N R7E

PARK

HEATH DITCHES

PRESSLEY - BRIDGEMAN DITCH

Nixon Creek

Brackett Creek

Brackett Creek

Horse Creek

North Ft. Brackett Creek

T2N-R7E

91803

ROBINSON - FRANCIS - OLIVER DITCH

ROBINSON DITCH

Gray Canyon Creek

Garret or Middle Ft. Flathead Creek

REINKE - KOCH DITCH

BLERDE DITCH

WILSON DITCHES

Spring Creek

HOLLMEYER DITCHES

Garret or Middle Ft. Flathead Creek

SHELHAMMER DITCHES

SHELHAMMER - WADDELL DITCH

BUANS DITCHES

Fairy Creek

TO FAIRY LAKE

WOOLSEY DITCHES

WOOLSEY DITCH

Gallatin

Forest

South

National

T2N-R7E

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STATE OF MONTANA

County of Gallatin

ss.

AFFIDAVIT

191803

Grace Blattie, after being first
duly sworn, deposed and says:

That my mailing address is Wilsall, Montana 59086
; That I am now and have been a resident of
Gallatin County, Montana; that I have been, beginning
about the month of January 1, 1930, familiar with stock-
water used on land, hereinafter described; that I know of my own
knowledge, that surface waters have been taken for the purpose of
watering livestock from Cache Creek running
(creek, river, spring, or lake)
thro or in, hereinafter described land, in Gallatin county, ever
since the 1 day of January, 1930, and that approximately
30 gallons per minute ~~min~~ were so taken for watering livestock on
lands in Gallatin county, Montana, generally described as:

Section 9, Township 2N, Range 7E

Affiant makes this Affidavit for the purpose of establishing
a stockwater right on the lands above described.

Grace L. Blattie

19 82

SUBSCRIBED and SWORN to before me this 15 day of August

Calvin D. James

Notary Public for the State of Montana

Residing at Wilsall, Montana

My Commission Expires 4-24-85

AFFIDAVIT OF ROBERT RICHARD WADDELL

I, Robert Richard Waddell, the undersigned, hereby states that I am of legal age and competent to make this Affidavit. I was born in 1943, in the northern Bridger mountains, and have lived my entire life in the area that includes much of the property associated with these water rights.

When I filed the original Statements of Claims for my stock claims, it was my understanding from talking with the Department of Natural Resources and Conservation at that time, that I should claim the location where the source entered my property. I now understand I should have claimed all of the source running through my property rather than one particular location. It was my intention to claim water for stock drinking all along the sources located on my property.

Lastly, livestock have historically drunk from all the ditches on my property when water has been conveyed through those ditches to irrigate my property.

DATED this 18 day of October, 2022.


Robert Richard Waddell

Exhibit W