

Montana Water Court  
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IN THE WATER COURT OF THE STATE OF MONTANA  
YELLOWSTONE DIVISION  
BOULDER RIVER BASIN, TRIBUTARY OF YELLOWSTONE RIVER (43BJ)

\* \* \* \* \*

CLAIMANT: Dry Creek Canal Co.

CASE 43BJ-6005-A-2022  
43BJ 114697-00  
43BJ 114698-00  
43BJ 114699-00

**ORDER AMENDING AND ADOPTING MASTER'S REPORT**

Pursuant to Montana Code Annotated, § 85-2-233(5), the above entitled case was assigned to Water Master Julia Nordlund. The Water Master filed a report containing Findings of Fact and Conclusions of Law with the Clerk of Court. Copies of the report were served upon the parties on September 13, 2023. Objections to the Master's Report were filed by Dry Creek Canal Company on September 22, 2023. Objections to the Master's Report were also filed by James and Janet McGehee, however, McGehees are not parties to this case. The comments pointed out the following typographical errors or Master's misinterpretations from the Motion to Amend:

Finding of Fact No. 7: contains a clerical error regarding the maximum number of acres irrigated. This should be corrected to **5,110**.

Finding of Fact No. 15: inappropriately included claim 43BJ 114699-00 when it stated all these claims should have a period of use and diversion of May 1- October 15.

Period of use and diversion should be corrected on the post decree abstract for claim 43BJ 114699-00 back to **May 1- November 1**.

Post Decree Abstracts claims 43BJ 114697-00, 43BJ 114698-00, and 43BJ 114699-00: each contain a clerical error in the township of POU ID 24 which should read **1N**.

Post Decree Abstracts claim 43BJ 114698-00: contains a clerical error in the township of POU ID 32 which should read **1N**.

The Court has reviewed the Water Master's Findings and Conclusions. Pursuant to Rule 53(e), Montana Rules of Civil Procedure, the Court **ADOPTS** the September 13, 2023 Master's Report with the corrections listed above, and

**ORDERS** that **Post Decree Abstract of Water Right Claims** be served with this Order to confirm that the recommendations set forth in the Master's Report, as amended by this Order, have been adopted.

**ELECTRONICALLY SIGNED AND DATED BELOW.**

**Service Via Electronic Mail:**

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**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**BOULDER RIVER, TRIBUTARY TO YELLOWSTONE RIVER**  
**BASIN 43BJ**

**Water Right Number:** **43BJ 114697-00** STATEMENT OF CLAIM

**Version:** 4 -- POST DECREE

**Status:** ACTIVE

**Owners:**  
DRY CREEK CANAL CO  
%DAN SANDERS  
503 HIGHWAY 10 E  
BIG TIMBER, MT 59011 8043

**Priority Date:** AUGUST 15, 1902

**Type of Historical Right:** USE

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**Flow Rate:** 105.00 CFS

THE COMBINED FLOW RATE FOR CLAIMS 43BJ 114697-00 & 43BJ 114698-00 IS LIMITED TO THE HISTORIC CAPACITY OF THE DIVERSION STRUCTURE AND CONVEYANCE SYSTEM.

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

**Climatic Area:** 2 - MODERATELY HIGH

**Maximum Acres:** 5,110.00

**Source Name:** BOULDER RIVER

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Otr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SENWNE		10	1S	14E	SWEET GRASS

**Period of Diversion:** MAY 1 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** DRY CREEK CANAL CO. DITCH

THE FOLLOWING ARE UTILIZED AS NATURAL CARRIERS FOR THE WATER DELIVERED UNDER THIS WATER RIGHT BY THE DRY CREEK CANAL COMPANY:

1. DRY CREEK FROM SENWNW TO SWNENW SEC 32 T1N R15E
2. MILLIGAN CREEK FROM NENWSE TO SWSENE SEC 33 T1N R15E
3. UPPER DEER CREEK IN THE NENESW SEC 10 T1S R15E
4. UPPER DEER CREEK IN THE SENENW SEC 2 T1S R15E
5. UPPER DEER CREEK FROM SENENW SEC 2 T1S R15E TO SENESE SEC 34 T1N R15E

**Period of Use:** MAY 1 TO OCTOBER 15

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Otr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1				2	1S	14E	SWEET GRASS
2			SW	3	1S	14E	SWEET GRASS
3			E2	34	1N	14E	SWEET GRASS

4		35	1N	14E	SWEET GRASS
5		26	1N	14E	SWEET GRASS
6	SW	25	1N	14E	SWEET GRASS
7	N2	25	1N	14E	SWEET GRASS
8	E2	23	1N	14E	SWEET GRASS
9		24	1N	14E	SWEET GRASS
10	S2	18	1N	15E	SWEET GRASS
11		19	1N	15E	SWEET GRASS
12	N2	30	1N	15E	SWEET GRASS
13	SE	30	1N	15E	SWEET GRASS
14		31	1N	15E	SWEET GRASS
15	NE	6	1S	15E	SWEET GRASS
16	NW	5	1S	15E	SWEET GRASS
17	N2	4	1S	15E	SWEET GRASS
18		3	1S	15E	SWEET GRASS
19		10	1S	15E	SWEET GRASS
20	NW	11	1S	15E	SWEET GRASS
21	W2	2	1S	15E	SWEET GRASS
22	NE	2	1S	15E	SWEET GRASS
23	N2	1	1S	15E	SWEET GRASS
24	S2	36	1N	15E	SWEET GRASS
25		35	1N	15E	SWEET GRASS
26		34	1N	15E	SWEET GRASS
27		33	1N	15E	SWEET GRASS
28		32	1N	15E	SWEET GRASS
29		29	1N	15E	SWEET GRASS
30		28	1N	15E	SWEET GRASS
31	SE	27	1N	15E	SWEET GRASS
32	W2	27	1N	15E	SWEET GRASS
33	SW	21	1N	15E	SWEET GRASS
34		20	1N	15E	SWEET GRASS

A TOTAL OF 5,110.00 ACRES MAY BE IRRIGATED DURING ANY GIVEN IRRIGATION SEASON WITH THE HISTORIC SERVICE AREA.

ANY USE THAT OCCURS WITHIN THE FOLLOWING SECTIONS IS LIMITED TO LAND LYING EAST OF THE EAST BANK OF THE BOULDER RIVER:

T1S R14E SEC2, 3  
T1N R14E SEC34, 26, 23

ANY USE THAT OCCURS WITHIN THE FOLLOWING SECTIONS IS LIMITED TO LAND LYING OUTSIDE OF LANDS OWNED BY THE STATE OF MONTANA, FISH & GAME COMMISSION:

T1N R14E SEC34

ANY USE THAT OCCURS WITHIN THE FOLLOWING SECTIONS IS LIMITED TO LAND LYING OUTSIDE OF LANDS OWNED BY THE UNITED STATES OF AMERICA, BUREAU OF LAND MANAGEMENT:

T1S R14E SEC3  
T1N R15E SEC33  
T1S R15E SEC1, 2

ANY USE THAT OCCURS WITHIN THE FOLLOWING SECTIONS IS LIMITED TO LAND LYING SOUTH OF INTERSTATE I-90:

TWP RGE SECTIONS  
1N 15E 21, 20  
1N 14E 23

ANY USE THAT OCCURS WITHIN THE FOLLOWING SECTIONS IS LIMITED TO LAND LYING SOUTH OF THE SOUTH BANK OF THE YELLOWSTONE RIVER:  
TWP RGE SECTIONS  
1N 15E 27, 34, 35, 36

**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.

114697-00                    114698-00

THE COMPLETE SET OF DOCUMENTATION, MAPS AND OTHER RELATED MATERIALS CAN BE OBTAINED BY REVIEWING FILE NO. 43BJ 114696-00.

PARENT FILE FOR THIS RIGHT IS 114696-00.

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BOULDER RIVER, TRIBUTARY TO YELLOWSTONE RIVER DRAINAGE (BASIN 43BJ ) AND USES IT IN THE BOULDER RIVER, TRIBUTARY TO YELLOWSTONE RIVER DRAINAGE (BASIN 43BJ ) AND THE YELLOWSTONE RIVER, ABOVE & INCLUDING BRIDGER CREEK DRAINAGE (BASIN 43B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

**THE FOLLOWING POTENTIAL ISSUES WERE IDENTIFIED DURING CLAIMS EXAMINATION OR DURING PREVIOUS WATER COURT PROCEEDINGS.**

THIS INTERBASIN TRANSFER CLAIM WAS NOT INCLUDED IN THE 43B BASIN TEMPORARY PRELIMINARY DECREE ISSUED 01/16/1985.

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

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**BOULDER RIVER, TRIBUTARY TO YELLOWSTONE RIVER**  
**BASIN 43BJ**

**Water Right Number:** **43BJ 114698-00 STATEMENT OF CLAIM**

**Version:** 4 -- POST DECREE

**Status:** ACTIVE

**Owners:**  
DRY CREEK CANAL CO  
%DAN SANDERS  
503 HIGHWAY 10 E  
BIG TIMBER, MT 59011 8043

**Priority Date:** OCTOBER 1, 1897

**Type of Historical Right:** DECREED

**Purpose (use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**\*Flow Rate:** 80.00 CFS

THE COMBINED FLOW RATE FOR CLAIMS 43BJ 114697-00 AND 43BJ 114698-00 IS LIMITED TO THE HISTORIC CAPACITY OF THE DIVERSION STRUCTURE AND CONVEYANCE SYSTEM.

**\*Volume:** 22,240.00 AC-FT

THE WATER COURT HAS DETERMINED THAT A VOLUME QUANTIFICATION IS REQUIRED TO ADEQUATELY ADMINISTER THIS RIGHT.

**Climatic Area:** 2 - MODERATELY HIGH

**Maximum Acres:** 5,110.00

**\*Source Name:** BOULDER RIVER

**Source Type:** SURFACE WATER

**\*Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWNE	10	1S	14E	SWEET GRASS

**Period of Diversion:** MAY 1 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Ditch Name:** DRY CREEK CANAL CO. DITCH

THE FOLLOWING ARE UTILIZED AS NATURAL CARRIERS FOR THE WATER DELIVERED UNDER THIS WATER RIGHT BY THE DRY CREEK CANAL COMPANY:

1. DRY CREEK FROM SENWNW TO SWNENW SEC 32 T1N R15E
2. MILLIGAN CREEK FROM NENWSE TO SWSENE SEC 33 T1N R15E
3. UPPER DEER CREEK IN THE NENESW SEC 10 T1S R15E
4. UPPER DEER CREEK IN THE SENENW SEC 2 T1S R15E
5. UPPER DEER CREEK FROM SENENW SEC 2 T1S R15E TO SENESE SEC 34 T1N R15E

**Period of Use:** MAY 1 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				2	1S	14E	SWEET GRASS
2			SW	3	1S	14E	SWEET GRASS

3		E2	34	1N	14E	SWEET GRASS
4			35	1N	14E	SWEET GRASS
5			26	1N	14E	SWEET GRASS
6		SW	25	1N	14E	SWEET GRASS
7		N2	25	1N	14E	SWEET GRASS
8		E2	23	1N	14E	SWEET GRASS
9			24	1N	14E	SWEET GRASS
10		S2	18	1N	15E	SWEET GRASS
11			19	1N	15E	SWEET GRASS
12		N2	30	1N	15E	SWEET GRASS
13		SE	30	1N	15E	SWEET GRASS
14			31	1N	15E	SWEET GRASS
15		NE	6	1S	15E	SWEET GRASS
16		NW	5	1S	15E	SWEET GRASS
17		N2	4	1S	15E	SWEET GRASS
18			3	1S	15E	SWEET GRASS
19			10	1S	15E	SWEET GRASS
20		NW	11	1S	15E	SWEET GRASS
21		W2	2	1S	15E	SWEET GRASS
22		NE	2	1S	15E	SWEET GRASS
23		N2	1	1S	15E	SWEET GRASS
24		S2	36	1N	15E	SWEET GRASS
25			35	1N	15E	SWEET GRASS
26			34	1N	15E	SWEET GRASS
27			33	1N	15E	SWEET GRASS
28			32	1N	15E	SWEET GRASS
29			29	1N	15E	SWEET GRASS
30			28	1N	15E	SWEET GRASS
31		SE	27	1N	15E	SWEET GRASS
32		W2	27	1N	15E	SWEET GRASS
33		SW	21	1N	15E	SWEET GRASS
34			20	1N	15E	SWEET GRASS

A TOTAL OF 5,110.00 ACRES MAY BE IRRIGATED DURING ANY GIVEN IRRIGATION SEASON WITH THE HISTORIC SERVICE AREA.

ANY USE THAT OCCURS WITHIN THE FOLLOWING SECTIONS IS LIMITED TO LAND LYING EAST OF THE EAST BANK OF THE BOULDER RIVER:

T1S R14E SEC2, 3  
T1N R14E SEC34, 26, 23

ANY USE THAT OCCURS WITHIN THE FOLLOWING SECTIONS IS LIMITED TO LAND LYING OUTSIDE OF LANDS OWNED BY THE STATE OF MONTANA, FISH & GAME COMMISSION:

T1N R14E SEC34

ANY USE THAT OCCURS WITHIN THE FOLLOWING SECTIONS IS LIMITED TO LAND LYING OUTSIDE OF LANDS OWNED BY THE UNITED STATES OF AMERICA, BUREAU OF LAND MANAGEMENT:

T1S R14E SEC3  
T1N R15E SEC33  
T1S R15E SEC1, 2

ANY USE THAT OCCURS WITHIN THE FOLLOWING SECTIONS IS LIMITED TO LAND LYING SOUTH OF INTERSTATE I-90:  
TWP RGE SECTIONS  
1N 15E 21, 20  
1N 14E 23

ANY USE THAT OCCURS WITHIN THE FOLLOWING SECTIONS IS LIMITED TO LAND LYING SOUTH OF THE SOUTH BANK OF THE YELLOWSTONE RIVER:  
TWP RGE SECTIONS  
1N 15E 27, 34, 35, 36

**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.

114697-00            114698-00

THE COMPLETE SET OF DOCUMENTATION, MAPS AND OTHER RELATED MATERIALS CAN BE OBTAINED BY REVIEWING FILE NO. 43BJ 114696-00.

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

PARENT FILE FOR THIS RIGHT IS 114696-00.

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BOULDER RIVER, TRIBUTARY TO YELLOWSTONE RIVER DRAINAGE (BASIN 43BJ ) AND USES IT IN THE BOULDER RIVER, TRIBUTARY TO YELLOWSTONE RIVER DRAINAGE (BASIN 43BJ ) AND THE YELLOWSTONE RIVER, ABOVE & INCLUDING BRIDGER CREEK DRAINAGE (BASIN 43B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

**THE FOLLOWING POTENTIAL ISSUES WERE IDENTIFIED DURING CLAIMS EXAMINATION OR DURING PREVIOUS WATER COURT PROCEEDINGS.**

THE TIMELY FILED OBJECTION OF DRY CREEK CANAL CO WAS AMENDED BY DRY CREEK CANAL CO TO INCLUDE FLOW RATE BECAUSE THESE ELEMENTS WERE NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THESE CHANGES MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.

THE CLAIMS LISTED FOLLOWING THIS STATEMENT MAY BE A MULTIPLE USE OF THE SAME RIGHT. THESE CLAIMS MAY NEED A MULTIPLE USE REMARK. 43BJ 114698-00, 43BJ 114699-00.

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A FILED RIGHT.

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**BOULDER RIVER, TRIBUTARY TO YELLOWSTONE RIVER**  
**BASIN 43BJ**

**Water Right Number:** **43BJ 114699-00 STATEMENT OF CLAIM**

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** DRY CREEK CANAL CO

%DAN SANDERS

503 HIGHWAY 10 E

BIG TIMBER, MT 59011 8043

**Priority Date:** OCTOBER 1, 1897

**Type of Historical Right:** FILED

**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:** BOULDER RIVER

**Source Type:** SURFACE WATER

**\*Point of Diversion and Means of Diversion:**

<b>ID</b>	<b>Govt Lot</b>	<b>Otr Sec</b>	<b>Sec</b>	<b>Twp</b>	<b>Rge</b>	<b>County</b>
1		SENWNE	10	1S	14E	SWEET GRASS

**Period of Diversion:** MAY 1 TO NOVEMBER 1

**Diversion Means:** DITCH

**Ditch Name:** DRY CREEK CANAL CO. DITCH

THE FOLLOWING ARE UTILIZED AS NATURAL CARRIERS FOR THE WATER DELIVERED UNDER THIS WATER RIGHT BY THE DRY CREEK CANAL COMPANY:

1. DRY CREEK FROM SENWNW TO SWNENW SEC 32 T1N R15E
2. MILLIGAN CREEK FROM NENWSE TO SWSNE SEC 33 T1N R15E
3. UPPER DEER CREEK IN THE NENESW SEC 10 T1S R15E
4. UPPER DEER CREEK IN THE SENENW SEC 2 T1S R15E
5. UPPER DEER CREEK FROM SENENW SEC 2 T1S R15E TO SENESE SEC 34 T1N R15E

**Period of Use:** MAY 1 TO NOVEMBER 1

**Place of Use:**

<b>ID</b>	<b>Acres</b>	<b>Govt Lot</b>	<b>Otr Sec</b>	<b>Sec</b>	<b>Twp</b>	<b>Rge</b>	<b>County</b>
1				2	1S	14E	SWEET GRASS
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26			34	1N	15E	SWEET GRASS
27			33	1N	15E	SWEET GRASS
28			32	1N	15E	SWEET GRASS
29			29	1N	15E	SWEET GRASS
30			28	1N	15E	SWEET GRASS
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T1S R14E SEC2, 3

T1N R14E SEC34, 26, 23

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T1N R14E SEC34

ANY USE THAT OCCURS WITHIN THE FOLLOWING SECTIONS IS LIMITED TO LAND LYING OUTSIDE OF LANDS OWNED BY THE UNITED STATES OF AMERICA, BUREAU OF LAND MANAGEMENT:

T1S R14E SEC3

T1N R15E SEC33

T1S R15E SEC1, 2

ANY USE THAT OCCURS WITHIN THE FOLLOWING SECTIONS IS LIMITED TO LAND LYING SOUTH OF INTERSTATE I-90:

TWP RGE SECTIONS

1N 15E 21, 20

1N 14E 23

ANY USE THAT OCCURS WITHIN THE FOLLOWING SECTIONS IS LIMITED TO LAND LYING SOUTH OF THE SOUTH BANK OF THE YELLOWSTONE RIVER:

TWP RGE SECTIONS

1N 15E 27, 34, 35, 36

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

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BOULDER RIVER, TRIBUTARY TO YELLOWSTONE RIVER DRAINAGE (BASIN 43BJ ) AND USES IT IN THE BOULDER RIVER, TRIBUTARY TO YELLOWSTONE RIVER DRAINAGE (BASIN 43BJ ) AND THE YELLOWSTONE RIVER, ABOVE & INCLUDING BRIDGER CREEK DRAINAGE (BASIN 43B ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

**THE FOLLOWING POTENTIAL ISSUES WERE IDENTIFIED DURING CLAIMS EXAMINATION OR DURING PREVIOUS WATER COURT PROCEEDINGS.**

THE CLAIMS LISTED FOLLOWING THIS STATEMENT MAY BE A MULTIPLE USE OF THE SAME RIGHT. THESE CLAIMS MAY NEED A MULTIPLE USE REMARK. 43BJ 114698-00, 43BJ 114699-00.