

Montana Water Court
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FILED
12/02/2024
Sara Calkins
CLERK
Montana Water Court
STATE OF MONTANA
By: D'Ann CIGLER
41K-0308-R-2024
Weisz, Madeleine
8.00

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

CLAIMANT: Blenton Ranch Co.

CASE 41K-0308-R-2024

41K 95815-00
41K 95816-00
41K 95817-00
41K 182361-00
41K 182362-00
41K 182363-00
41K 182369-00
41K 210905-00
41K 30001391
41K 30001392
41K 30001393

NOTICE OF FILING OF MASTER'S REPORT

This Master's Report was filed with the Montana Water Court on the above stamped date. Please review this report carefully.

You may file a written objection to this Master's Report within **10 days** of the stamped date if you disagree or find errors with the Master's findings of fact, conclusions of law, or recommendations. Rule 23, W.R.Adj.R. If the Master's Report was mailed to you, the Montana Rules of Civil Procedure allow an additional 3 days be added to the 10-day objection period. Rule 6(d), M.R.Civ.P. If you file an objection, you must serve a copy of the objection to all parties on the service list found at the end of the Master's Report. The original objection and a certificate of mailing to all parties on the service list must be filed with the Water Court.

If you do not file a timely objection, the Water Court will conclude that you agree with the content of this Master's Report.

MASTER'S REPORT

FINDINGS OF FACT

1. The claims in this case are owned by Blenton Ranch Co. The claims appeared in the 41K Preliminary Decree with several issue remarks placed on the claims by the Department of Natural Resources (DNRC).

2. On October 10, 2024, the Claimant filed a Motion to Amend to Resolve Issue Remarks. The Motion to Amend requests modifications to the claims that address the issue remarks appearing on the claims. All the claims in this case are irrigation claims for the same 437.20 place of use, except for claim 41K 182369-00, which is a stock claim.

Place of Use Issue Remarks

3. The irrigation claims received the following issue remarks:

THE LEWIS & CLARK WATER RESOURCE SURVEY (1957) APPEARS TO INDICATE 343.82 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS FOUND IN THE CLAIM FILE OR WATER COURT CASE 41K-3 FILE.

USDA AERIAL PHOTOGRAPH NO(S). 178-113 DATED 8-4-78 APPEARS TO INDICATE 332.36 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS FOUND IN THE CLAIM FILE OR WATER COURT CASE 41K-3 FILE.

4. All ten irrigation claims are based on historic decreed rights and were included in proceedings in Case 41K-3 during adjudication of the 41K Temporary Preliminary Decree.

During the proceedings in Case 41K-3, the Water Master found that the claims were historically marshaled, meaning that the combined flow rate of the ten claims were used to irrigate the entire property. The Stipulations filed in Case 41K-3 called for all ten claims to identify the same 437.20 acres irrigated and the same five points of diversion to reflect the historic practice of marshaling.

5. The August 16, 2002, Master's Report accepted the Stipulations, finding "that the claimant had provided sufficient documentation to support amending the claims to 437.20 acres irrigated." FOF No. 6. The Master concluded:

In the present case, the evidence entered into the record is sufficient to contradict and overcome the content of the prima facie claims and justifies the changes to [the] claims... While these proposed changes result in an increase in the number of acres irrigated by these claims and the addition of several points of diversion, these increases appear to reflect historical use.

COL III.

While the Water Master determined that the evidence supported amending the claims to identify a 437.20-acre place of use, the Master also added the place of use issue remarks to preserve any potential issues. The remarks indicate the number of acres verified by the DNRC during its requested assistance in the case. At that time in the adjudication, resolving issue remarks was discretionary.

6. The issue remarks did not result in any objections being filed to the claims in this case during the 41K Preliminary Decree Objection Period. The Water Master in Case 41K-3 determined that the evidence presented overcame the prima facie status of the claims and supported a 437.20-acre place of use. The Water Master reached this conclusion despite the memos from the DNRC identifying less acreage, which resulted in the issue remarks appearing on the claims. The issue remarks do not overcome the prima facie status of the claims. The place of use issue remarks should be removed from the irrigation claims.

Point of Diversion Issue Remarks

7. The irrigation claims all received at least one issue remark concerning the points of diversion. As discussed above, based on previous proceedings, all the irrigation claims should have the same place of use and the same points of diversion. The points of diversion that were agreed to during the proceedings in 41K-3 were slightly incorrect, resulting in the point of diversion issue remarks. Based on the information from the claimant and the issue remarks, the points of diversion for all ten claims should be decreed as:

1	SESENE	Sec 12	20N	8W	Nilan-Murphy-Woods Ditch
2	NENWNW	Sec 8	20N	7W	Geldrich Ditch No. 1
3	SESENE	Sec 5	20N	7W	Geldrich Ditch No. 2

4	NESENE	Sec 7	20N	7W	Geldrich Ditch No. 3
5	NWNESE	Sec 12	20N	8W	Nilan-Murphy Ditch

8. Claims 41K 95815-00, 41K 95816-00, 41K 95817-00, 41K 182361-00, and 41K 182362-00 each received three point of diversion issue remarks stating:

POINT OF DIVERSION NO. 2 APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE NENWNW SEC 8 TWP 20N RGE 7W LEWIS AND CLARK COUNTY.

POINT OF DIVERSION NO. 3 APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE SESENE SEC 5 TWP 20N RGE 7W LEWIS AND CLARK COUNTY.

POINT OF DIVERSION NO. 5 APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE NWNESE SEC 12 TWP 20N RGE 8W LEWIS AND CLARK COUNTY.

The claimant agrees with each of the remarks and requests that the points of diversion be corrected pursuant to the remarks. The points of diversion should be corrected, and the issue remarks should be removed.

9. Claims 41K 182363-00 and 41K 210905-00 each received a remark stating:

POINTS 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.

The claimant agrees with the modifications the DNRC made to the points of diversion during reexamination. The issue remark has served its purpose of providing notice and should be removed from claims 41K 182363-00 and 41K 210905-00.

10. Claims 41K 30001391, 41K 30001392, and 41K 30001393 each received the following issue remark:

POINT OF DIVERSION NO. 2 APPEARS TO BE LOCATED IN THE NENWNW SEC 8, T20N, R7W. POINT OF DIVERSION NO. 3 APPEARS TO BE IN THE SESENE SEC 5, T20N, R7W. POINT OF DIVERSION NO. 5 APPEARS TO BE IN THE NWNESE SEC 12, T20N, R8W ALL IN LEWIS AND CLARK COUNTY.

The claimant agrees with the remark and requests that the points of diversion be corrected accordingly. The points of diversion should be corrected, and the issue remarks should be removed.

Decree Exceeded Remarks

11. Claims 41K 95815-00, 41K 95816-00, and 41K 182369-00 received Decree Exceeded issue remarks stating:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 120 MINER'S INCHES DECREED IN CASE NO. 4742 , LEWIS AND CLARK COUNTY. 41K 182369-00, 41K 95815-00, 41K 95816-00.

The Claimant explains that claims 41K 95815-00 and 41K 95816-00 are based on two different historical water rights, both decreed to Thomas Clark Co with a priority date of December 31, 1882. The historic decree attached to the statement of claim for 41K 95816-00 confirms this. One right was decreed for 60 MI, and the other was decreed for 120 MI.

Claim 41K 182369-00 is a stock claim that is a multiple use of claim 41K 95816-00, meaning that both claims are based on the same historic right but for different purposes. To avoid a decree exceeded situation between claims 41K 182369-00 and 41K 95816-00, a multiple use remark should be added to both claims as requested by the Claimant.

The addition of the multiple use remark resolves the only decree exceeded issue between these three claims. The multiple use remark should be added to claims 41K 182369-00 and 41K 95816-00 and the decree exceeded issue remark should be removed from all three claims.

Claim 41K 95817-00 Priority Date Issue Remark

10. Claim 41K 95817-00 appeared in the Preliminary Decree with an issue remark that states:

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. THE PRIORITY DATE ON THE SUBMITTED IS.

This remark is incomplete and does not overcome the prima facie status of the claim. As the claimant explains, the priority date and flow rate for claim 41K 95817-00 was amended during proceedings in Case 41K-3. The findings and conclusions of the Water Master in that case will not be disturbed. The priority date issue remark should be removed from the claim.

CONCLUSIONS OF LAW

1. A properly filed Statement of Claim for Existing Water Right is prima facie proof of its content. § 85-2-227, MCA. This prima facie proof may be contradicted and overcome by other evidence that proves, by a preponderance of the evidence, that the elements of the claim do not accurately reflect the beneficial use of the water right as it existed prior to July 1, 1973. This is the burden of proof for every assertion that a claim is incorrect. Rule 19, W.R.Adj.R.

2. Section 85-2-248(2), MCA requires the Water Court to resolve all issue remarks that are not resolved through the objection process. The Montana Water Court has the authority to resolve issue remarks when the claim file and information available to the Court provide a sufficient basis to do so. § 85-2-248(3), MCA.

The issue remarks appearing on the claims concerning place of use do not overcome the prima facie status of the claims. In previous proceedings, the Court determined the evidence presented during those proceedings overcame the prima facie status of the claims and supported the modification of the place of use to a total of 437.20 acres. The place of use issue remarks does not overcome the prima facie status of the claim and should be removed.

The claimant agrees with the issue remarks indicating that the points of diversion should be corrected. Those issue remarks are supported by sufficient evidence to overcome the prima facie status of the claims. The points of diversion should be corrected pursuant to the issue remarks and the issue remarks should be removed.

The issue remarks providing notice that certain points of diversion were modified are for notice purposes only. The claimant agrees with the modifications made to those points of diversion. Those issue remarks should be removed.

The issue remarks concerning the decree exceeded issue involving claims 41K 95815-00, 41K 95816-00, and 41K 182369-00 should be removed. The information before the court is sufficient to establish that there is no decree exceeded issue between claims 41K 95815-00 and 41K 95816-00. The addition of a multiple use remark on claims 41K 95816-00 and 41K 182369-00 resolves the decree exceeded issue between those claims. The decree exceeded issue remarks should be removed from all three claims.

The priority date remark appearing on claim 41K 95817-00 is not supported by any information in the claim file. It is not clear why the remark was placed on the claim. The issue remark does not overcome the prima facie status of the claim and should be removed.

RECOMMENDATION

1. The claimant's motion to amend to resolve issue remarks should be accepted by the Court.

2. The issue remarks should be removed from the claims in this case.

Post Decree Abstracts of Water Right Claims are served with the Report to confirm that the recommended corrections have been made in the state's centralized record system.

ELECTRONICALLY SIGNED AND DATED BELOW.

Service via Electronic Mail:

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**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SUN RIVER
BASIN 41K**

Water Right Number: 41K 95815-00 STATEMENT OF CLAIM
Version: 3 -- POST DECREE
Status: ACTIVE

Owners: BLENTON RANCH CO
PO BOX 308
AUGUSTA, MT 59410-0308

Priority Date: DECEMBER 31, 1882

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 1.50 CFS

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

Climatic Area: 5 - LOW

***Maximum Acres:** 437.20

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENE	12	20N	8W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 1					
Diversion Means:	HEADGATE					
Ditch Name:	NILAN-MURPHY-WOODS DITCH					
2		NENWNW	8	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 1					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 1					
3		SESENE	5	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 1					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 2					
4		NESENE	7	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 1					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 3					
5		NWNESE	12	20N	8W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 1					

Diversion Means: HEADGATE
Ditch Name: NILAN-MURPHY DITCH
Period of Use: MAY 1 TO SEPTEMBER 1

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		SESENE	12	20N	8W	LEWIS AND CLARK
2	2.00		NENWSW	7	20N	7W	LEWIS AND CLARK
3	18.00		S2NW	7	20N	7W	LEWIS AND CLARK
4	16.00		NENE	7	20N	7W	LEWIS AND CLARK
5	36.30		E2SE	6	20N	7W	LEWIS AND CLARK
6	13.00		W2NWNW	8	20N	7W	LEWIS AND CLARK
7	218.00		S2	5	20N	7W	LEWIS AND CLARK
8	130.90		N2	4	20N	7W	LEWIS AND CLARK
Total:	437.20						

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.

95815-00	95816-00	95817-00	182361-00	182362-00	182363-00
210905-00	30001391	30001392	30001393		

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SUN RIVER
BASIN 41K**

Water Right Number: 41K 95816-00 STATEMENT OF CLAIM
Version: 3 -- POST DECREE
Status: ACTIVE

Owners: BLENTON RANCH CO
PO BOX 308
AUGUSTA, MT 59410-0308

Priority Date: DECEMBER 31, 1882

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 3.00 CFS

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

Climatic Area: 5 - LOW

***Maximum Acres:** 437.20

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENE	12	20N	8W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	NILAN-MURPHY-WOODS DITCH					
2		NENWNW	8	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 1					
3		SESENE	5	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 2					
4		NESENE	7	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 3					
5		NWNESE	12	20N	8W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					

Diversion Means: HEADGATE
Ditch Name: NILAN-MURPHY DITCH
Period of Use: MAY 1 TO SEPTEMBER 30

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		SESENE	12	20N	8W	LEWIS AND CLARK
2	2.00		NENWSW	7	20N	7W	LEWIS AND CLARK
3	18.00		S2NW	7	20N	7W	LEWIS AND CLARK
4	16.00		NENE	7	20N	7W	LEWIS AND CLARK
5	36.30		E2SE	6	20N	7W	LEWIS AND CLARK
6	13.00		W2NWNW	8	20N	7W	LEWIS AND CLARK
7	218.00		S2	5	20N	7W	LEWIS AND CLARK
8	130.90		N2	4	20N	7W	LEWIS AND CLARK
Total:	437.20						

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.

95815-00	95816-00	95817-00	182361-00	182362-00	182363-00
210905-00	30001391	30001392	30001393		

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

95816-00	182369-00
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**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SUN RIVER
BASIN 41K**

Water Right Number: 41K 95817-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: BLENTON RANCH CO
PO BOX 308
AUGUSTA, MT 59410-0308

***Priority Date:** JUNE 30, 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: 5 - LOW

***Maximum Acres:** 437.20

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENE	12	20N	8W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	NILAN-MURPHY-WOODS DITCH					
2		NENWNW	8	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 1					
3		SESENE	5	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 2					
4		NESENE	7	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 3					
5		NWNESE	12	20N	8W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					

Diversion Means: HEADGATE
Ditch Name: NILAN-MURPHY DITCH
Period of Use: MAY 1 TO SEPTEMBER 30

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		SESENE	12	20N	8W	LEWIS AND CLARK
2	2.00		NENWSW	7	20N	7W	LEWIS AND CLARK
3	18.00		S2NW	7	20N	7W	LEWIS AND CLARK
4	16.00		NENE	7	20N	7W	LEWIS AND CLARK
5	36.30		E2SE	6	20N	7W	LEWIS AND CLARK
6	13.00		W2NWNW	8	20N	7W	LEWIS AND CLARK
7	218.00		S2	5	20N	7W	LEWIS AND CLARK
8	130.90		N2	4	20N	7W	LEWIS AND CLARK
Total:	437.20						

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.

95815-00	95816-00	95817-00	182361-00	182362-00	182363-00
210905-00	30001391	30001392	30001393		

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

95817-00	182372-00
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THE IMPLIED CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 41K 30001391, 41K 30001392.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SUN RIVER
BASIN 41K**

Water Right Number: 41K 182361-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: BLENTON RANCH CO
PO BOX 308
AUGUSTA, MT 59410-0308

Priority Date: MAY 11, 1893

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 1.10 CFS

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

Climatic Area: 5 - LOW

***Maximum Acres:** 437.20

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENE	12	20N	8W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	NILAN-MURPHY-WOODS DITCH					
2		NENWNW	8	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 1					
3		SESENE	5	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 2					
4		NESENE	7	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 3					
5		NWNESE	12	20N	8W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					

Diversion Means: HEADGATE
Ditch Name: NILAN-MURPHY DITCH
Period of Use: MAY 1 TO SEPTEMBER 30

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		SESENE	12	20N	8W	LEWIS AND CLARK
2	2.00		NENWSW	7	20N	7W	LEWIS AND CLARK
3	18.00		S2NW	7	20N	7W	LEWIS AND CLARK
4	16.00		NENE	7	20N	7W	LEWIS AND CLARK
5	36.30		E2SE	6	20N	7W	LEWIS AND CLARK
6	13.00		W2NWNW	8	20N	7W	LEWIS AND CLARK
7	218.00		S2	5	20N	7W	LEWIS AND CLARK
8	130.90		N2	4	20N	7W	LEWIS AND CLARK
Total:	437.20						

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.

95815-00	95816-00	95817-00	182361-00	182362-00	182363-00
210905-00	30001391	30001392	30001393		

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SUN RIVER
BASIN 41K**

Water Right Number: 41K 182362-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: BLENTON RANCH CO
PO BOX 308
AUGUSTA, MT 59410-0308

Priority Date: DECEMBER 31, 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: 5 - LOW

***Maximum Acres:** 437.20

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENE	12	20N	8W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	NILAN-MURPHY-WOODS DITCH					
2		NENWNW	8	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 1					
3		SESENE	5	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 2					
4		NESENE	7	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 3					
5		NWNESE	12	20N	8W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					

Diversion Means: HEADGATE
Ditch Name: NILAN-MURPHY DITCH
Period of Use: MAY 1 TO SEPTEMBER 30

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		SESENE	12	20N	8W	LEWIS AND CLARK
2	2.00		NENWSW	7	20N	7W	LEWIS AND CLARK
3	18.00		S2NW	7	20N	7W	LEWIS AND CLARK
4	16.00		NENE	7	20N	7W	LEWIS AND CLARK
5	36.30		E2SE	6	20N	7W	LEWIS AND CLARK
6	13.00		W2NWNW	8	20N	7W	LEWIS AND CLARK
7	218.00		S2	5	20N	7W	LEWIS AND CLARK
8	130.90		N2	4	20N	7W	LEWIS AND CLARK
Total:	437.20						

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.

95815-00	95816-00	95817-00	182361-00	182362-00	182363-00
210905-00	30001391	30001392	30001393		

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SUN RIVER
BASIN 41K**

Water Right Number: 41K 182363-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: BLENTON RANCH CO
PO BOX 308
AUGUSTA, MT 59410-0308

Priority Date: JUNE 30, 1904

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 1.60 CFS

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

Climatic Area: 5 - LOW

***Maximum Acres:** 437.20

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENE	12	20N	8W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	NILAN-MURPHY-WOODS DITCH					
2		NENWNW	8	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 1					
3		SESENE	5	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 2					
4		NESENE	7	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 3					
5		NWNESE	12	20N	8W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					

Diversion Means: HEADGATE
Ditch Name: NILAN-MURPHY DITCH
Period of Use: MAY 1 TO SEPTEMBER 30

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		SESENE	12	20N	8W	LEWIS AND CLARK
2	2.00		NENWSW	7	20N	7W	LEWIS AND CLARK
3	18.00		S2NW	7	20N	7W	LEWIS AND CLARK
4	16.00		NENE	7	20N	7W	LEWIS AND CLARK
5	36.30		E2SE	6	20N	7W	LEWIS AND CLARK
6	13.00		W2NWNW	8	20N	7W	LEWIS AND CLARK
7	218.00		S2	5	20N	7W	LEWIS AND CLARK
8	130.90		N2	4	20N	7W	LEWIS AND CLARK
Total:	437.20						

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.

95815-00	95816-00	95817-00	182361-00	182362-00	182363-00
210905-00	30001391	30001392	30001393		

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SUN RIVER
BASIN 41K**

Water Right Number: 41K 182369-00 STATEMENT OF CLAIM
Version: 3 -- POST DECREE
Status: ACTIVE

Owners: BLENTON RANCH CO
PO BOX 308
AUGUSTA, MT 59410-0308

Priority Date: DECEMBER 31, 1882

Type of Historical Right: DECREED

Purpose (Use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			5	20N	7W	LEWIS AND CLARK

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				5	20N	7W	LEWIS AND CLARK

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

95816-00 182369-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SUN RIVER
BASIN 41K**

Water Right Number: 41K 210905-00 STATEMENT OF CLAIM
Version: 3 -- POST DECREE
Status: ACTIVE

Owners: BLENTON RANCH CO
PO BOX 308
AUGUSTA, MT 59410-0308

***Priority Date:** MAY 31, 1888

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: 5 - LOW

***Maximum Acres:** 437.20

Source Name: WILLOW 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		SE	SENE	12	20N	8W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 1						
Diversion Means:	HEADGATE						
Ditch Name:	NILAN-MURPHY-WOODS DITCH						
2		N	NENWNW	8	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 1						
Diversion Means:	HEADGATE						
Ditch Name:	GELDRICH DITCH NO. 1						
3		SE	SENE	5	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 1						
Diversion Means:	HEADGATE						
Ditch Name:	GELDRICH DITCH NO. 2						
4		NE	NESENE	7	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 1						
Diversion Means:	HEADGATE						
Ditch Name:	GELDRICH DITCH NO. 3						
5		N	NWNESE	12	20N	8W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 1						

Diversion Means: HEADGATE
Ditch Name: NILAN-MURPHY DITCH
Period of Use: MAY 1 TO SEPTEMBER 1

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		SESENE	12	20N	8W	LEWIS AND CLARK
2	2.00		NENWSW	7	20N	7W	LEWIS AND CLARK
3	18.00		S2NW	7	20N	7W	LEWIS AND CLARK
4	16.00		NENE	7	20N	7W	LEWIS AND CLARK
5	36.30		E2SE	6	20N	7W	LEWIS AND CLARK
6	13.00		W2NWNW	8	20N	7W	LEWIS AND CLARK
7	218.00		S2	5	20N	7W	LEWIS AND CLARK
8	130.90		N2	4	20N	7W	LEWIS AND CLARK
Total:	437.20						

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.

95815-00	95816-00	95817-00	182361-00	182362-00	182363-00
210905-00	30001391	30001392	30001393		

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182373-00	210905-00
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IMPLIED CLAIM NO. 41K 3001393-00 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SUN RIVER
BASIN 41K**

Water Right Number: 41K 30001391 STATEMENT OF CLAIM
Version: 3 -- POST DECREE
Status: ACTIVE

Owners: BLENTON RANCH CO
PO BOX 308
AUGUSTA, MT 59410-0308

***Priority Date:** JUNE 2, 1885

***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: 5 - LOW

***Maximum Acres:** 437.20

***Source Name:** WILLOW CREEK

Source Type: SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENE	12	20N	8W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	NILAN-MURPHY-WOODS DITCH					
2		NENWNW	8	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 1					
3		SESENE	5	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 2					
4		NESENE	7	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 3					
5		NWNESE	12	20N	8W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					

Diversion Means: HEADGATE
Ditch Name: NILAN-MURPHY DITCH
***Period of Use:** MAY 1 TO SEPTEMBER 30
***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		SESENE	12	20N	8W	LEWIS AND CLARK
2	2.00		NENWSW	7	20N	7W	LEWIS AND CLARK
3	18.00		S2NW	7	20N	7W	LEWIS AND CLARK
4	16.00		NENE	7	20N	7W	LEWIS AND CLARK
5	36.30		E2SE	6	20N	7W	LEWIS AND CLARK
6	13.00		W2NWNW	8	20N	7W	LEWIS AND CLARK
7	218.00		S2	5	20N	7W	LEWIS AND CLARK
8	130.90		N2	4	20N	7W	LEWIS AND CLARK
Total:	437.20						

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.

95815-00	95816-00	95817-00	182361-00	182362-00	182363-00
210905-00	30001391	30001392	30001393		

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41K 95817-00.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SUN RIVER
BASIN 41K**

Water Right Number: 41K 30001392 STATEMENT OF CLAIM
Version: 3 -- POST DECREE
Status: ACTIVE

Owners: BLENTON RANCH CO
PO BOX 308
AUGUSTA, MT 59410-0308

***Priority Date:** JUNE 2, 1885

***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: 5 - LOW

***Maximum Acres:** 437.20

***Source Name:** WILLOW CREEK

Source Type: SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENE	12	20N	8W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	NILAN-MURPHY-WOODS DITCH					
2		NENWNW	8	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 1					
3		SESENE	5	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 2					
4		NESENE	7	20N	7W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					
Diversion Means:	HEADGATE					
Ditch Name:	GELDRICH DITCH NO. 3					
5		NWNESE	12	20N	8W	LEWIS AND CLARK
Period of Diversion:	MAY 1 TO SEPTEMBER 30					

Diversion Means: HEADGATE
Ditch Name: NILAN-MURPHY DITCH
***Period of Use:** MAY 1 TO SEPTEMBER 30
***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		SESENE	12	20N	8W	LEWIS AND CLARK
2	2.00		NENWSW	7	20N	7W	LEWIS AND CLARK
3	18.00		S2NW	7	20N	7W	LEWIS AND CLARK
4	16.00		NENE	7	20N	7W	LEWIS AND CLARK
5	36.30		E2SE	6	20N	7W	LEWIS AND CLARK
6	13.00		W2NWNW	8	20N	7W	LEWIS AND CLARK
7	218.00		S2	5	20N	7W	LEWIS AND CLARK
8	130.90		N2	4	20N	7W	LEWIS AND CLARK
Total:	437.20						

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.

95815-00	95816-00	95817-00	182361-00	182362-00	182363-00
210905-00	30001391	30001392	30001393		

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41K 95817-00.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SUN RIVER
BASIN 41K**

Water Right Number: 41K 30001393 STATEMENT OF CLAIM
Version: 3 -- POST DECREE
Status: ACTIVE

Owners: BLENTON RANCH CO
PO BOX 308
AUGUSTA, MT 59410-0308

***Priority Date:** MAY 20, 1889

***Type of Historical Right:** DECREED

***Purpose (Use):** IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

***Flow Rate:** 224.00 GPM

FLOW RATE IS EQUAL TO .50 CFS.

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

Climatic Area: 5 - LOW

***Maximum Acres:** 437.20

***Source Name:** WILLOW CREEK

Source Type: SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENE	12	20N	8W	LEWIS AND CLARK
*Period of Diversion: MAY 1 TO SEPTEMBER 30						
Diversion Means: HEADGATE						
Ditch Name: NILAN-MURPHY-WOODS DITCH						
2		NENWNW	8	20N	7W	LEWIS AND CLARK
*Period of Diversion: MAY 1 TO SEPTEMBER 30						
Diversion Means: HEADGATE						
Ditch Name: GELDRICH DITCH NO. 1						
3		SESENE	5	20N	7W	LEWIS AND CLARK
*Period of Diversion: MAY 1 TO SEPTEMBER 30						
Diversion Means: HEADGATE						
Ditch Name: GELDRICH DITCH NO. 2						
4		NESENE	7	20N	7W	LEWIS AND CLARK
*Period of Diversion: MAY 1 TO SEPTEMBER 30						
Diversion Means: HEADGATE						
Ditch Name: GELDRICH DITCH NO. 3						
5		NWNESE	12	20N	8W	LEWIS AND CLARK

***Period of Diversion:** MAY 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Ditch Name: NILAN-MURPHY DITCH

***Period of Use:** MAY 1 TO SEPTEMBER 30

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		SESENE	12	20N	8W	LEWIS AND CLARK
2	2.00		NENWSW	7	20N	7W	LEWIS AND CLARK
3	18.00		S2NW	7	20N	7W	LEWIS AND CLARK
4	16.00		NENE	7	20N	7W	LEWIS AND CLARK
5	36.30		E2SE	6	20N	7W	LEWIS AND CLARK
6	13.00		W2NWNW	8	20N	7W	LEWIS AND CLARK
7	218.00		S2	5	20N	7W	LEWIS AND CLARK
8	130.90		N2	4	20N	7W	LEWIS AND CLARK
Total:	437.20						

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.

95815-00	95816-00	95817-00	182361-00	182362-00	182363-00
210905-00	30001391	30001392	30001393		

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182371-00	30001393
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THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41K 210905-00.