

Montana Water Court
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IN THE WATER COURT OF THE STATE OF MONTANA
LOWER MISSOURI DIVISION
JUDITH RIVER BASIN (41S)
PRELIMINARY DECREE

CLAIMANTS: Kyle E. Carr; Stephanie M. Carr; Donald L.
Taylor; Pauline A. Taylor; Clinton E. Carr;
Nathan W. Carr; Valerie S. Carr

NOTICE OF INTENT TO APPEAR: Montana Department of
Fish Wildlife & Parks

CASE 41S-0628-R-2024

- 41S 48743-00
- 41S 150629-00
- 41S 150630-00
- 41S 150631-00
- 41S 150632-00
- 41S 150633-00
- 41S 150634-00
- 41S 150635-00
- 41S 150646-00
- 41S 150648-00
- 41S 150649-00

NOTICE OF FILING OF MASTER’S REPORT

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

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

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

MASTER'S REPORT

FINDINGS OF FACT

1. The record owners of claim 41S 48743-00 are Donald L. Taylor, and Pauline A. Taylor; Kyle E. Carr and Stephanie M. Carr are contract for deed purchasers of the property appurtenant to the claim.¹ Clinton E. Carr, Nathan W. Carr, and Valerie S. Carr are the record owners of claims 41S 150629-00, 41S 150630-00, 41S 150631-00, 41S 150632-00, 41S 150633-00, 41S 150634-00, 41S 150635-00, 41S 150646-00, 41S 150648-00, and 41S 150649-00.

2. Claims 41S 48743-00, 41S 150629-00, 41S 150630-00, 41S 150631-00, 41S 150632-00, 41S 150633-00, 41S 150634-00, 41S 150635-00, 41S 150646-00, 41S 150648-00, and 41S 150649-00 were decreed with DNRC issue remarks.

3. The Montana Department of Fish Wildlife & Parks (FWP) filed a Notice of Intent to Appear for claim 41S 150649-00.

4. On August 12, 2024, Clinton E. Carr, Nathan W. Carr, and Valerie S. Carr filed documentation addressing the issue remarks decreed on claims 41S 48743-00, 41S 150629-00, 41S 150630-00, 41S 150631-00, 41S 150632-00, 41S 150633-00, 41S 150634-00, 41S 150635-00, 41S 150646-00, 41S 150648-00, and 41S 150649-00. (Doc.²6.00). The August 12, 2024 Filing indicated FWP agrees with proposed modifications to the claims in this Case.

5. The August 12, 2024 filing also proposed a resolution to the issue remarks decreed on claim 41S 48743-00. A deadline was set for Kyle E. Carr, Stephanie M. Carr, Donald L. Taylor, and Pauline A. Taylor to agree or disagree with the proposed modifications to claim 41S 48743-00. The Order indicated that if nothing were filed by the deadline, this Water Master would conclude that Kyle E. Carr, Stephanie M. Carr,

¹ If the contract for deed has been satisfied, the parties may contact the DNRC to update ownership.

² "Doc." numerical references correlate to case file docket numbers in the Water Court's Full Court case management system.

Donald L. Taylor, and Pauline A. Taylor agree with the proposed modifications. Nothing was filed.

6. **Claim 41S 48743-00:** Claim 41S 48743-00 was decreed with DNRC issue remarks:

THE MAXIMUM NUMBER OF ACRES CLAIMED ON THE ORIGINAL STATEMENT OF CLAIM IS 105.00 ACRES. THE DNRC'S RE-EXAMINATION WAS OF THESE ORIGINAL CLAIMED ACRES.
 USDA AERIAL PHOTOGRAPH NO(S). 30045-179-171 , DATED 09/17/1979 , APPEARS TO INDICATE 65.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

The August 12, 2024 filing proposes the following modifications to claim 41S 48743-00, resolving the issue remarks:

Maximum Acres:	83.00	65.00						
Place of Use:								
ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County	
1	37.00	46.00	N2SE	28	16N	15E	JUDITH BASIN	
2	5.00	13.00	S2SWNW	25	16N	15E	JUDITH BASIN	
3	23.00	26.00	NWSW	25	16N	15E	JUDITH BASIN	
Total:	65.00	83.00						

The proposed modifications address the DNRC issue remarks decreed on claim 41S 48743-00.

7. **Claims 41S 150629-00, 41S 150630-00, and 41S 150631-00:** Claims 41S 150629-00, 41S 150630-00, and 41S 150631-00 were decreed with DNRC issue remarks:

CLAIM FILED LATE 06/11/1982 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.
 THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY (1963) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
 USDA AERIAL PHOTOGRAPH NO(S). 30045-179-112 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
 THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

The August 12, 2024 filing proposes the following modifications to claims 41S 150629-00, 41S 150630-00, and 41S 150631-00:

Maximum Acres:	70.00	44.10						
Place of Use:								
ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County	
1	37.60	35.00	S2NW	SWNW	6	14N	15E	JUDITH BASIN
2	6.50	35.00	N2NW	SENW	6	14N	15E	JUDITH BASIN
Total:	44.10	70.00						

Affidavits were attached to the August 12, 2024 filing, explaining the water delivery system across the place of use. In an Affidavit, Water rights consultant Scott Irvin

explained that he identified 44.10 acres as historically used for flood irrigation at the claimed place of use. (Doc. 6.00, Exhibit A).

8. **Claim 41S 150632-00:** Claim 41S 150632-00 was decreed with DNRC issue remarks:

ON 08/17/1995 CHARLES S. THOMAS AND KAREN L. THOMAS FILED A LETTER AND AFFIDAVIT OF STEWART J. THOMAS STATING THAT THE PRIORITY DATE SHOULD BE CHANGED TO 04/01/1882. THIS WAS DEEMED AND DOCKETED AS A LATE OBJECTION TO PRIORITY DATE AND WILL BE HEARD AFTER PROPER NOTICE ON THE NEXT OBJECTION LIST.
THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY (1983) APPEARS TO INDICATE 225.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
USDA AERIAL PHOTOGRAPH NO(S). 30045-179-110 , DATED 09/17/1979 , APPEARS TO INDICATE 230.40 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

Review of the record shows that Charles S. Thomas and Karen L. Thomas filed information to establish the priority date and type of historical right (April 1, 1882 use rights) for various claims they owned on August 17, 1995, claim 41S 150632-00 was among those claims. The information was docketed as a late objection to ensure it could be addressed during the Preliminary Decree. The information submitted established the claim as an April 1, 1882 use right and the change will be made as no party objected to the claim. The August 12, 2024 filing states the priority date and type of historical right should remain as decreed for claim 41S 150632-00 because:

The Water Court

subsequently notified the Thomases that additional information was required to change the priority date of Claim 41S 150632-00. No additional documentation was filed nor did the current Claimants object to the priority date. Accordingly, the claim element should remain as it appears in the Preliminary Decree and the issue remark should be resolved.

(Doc. 6.00, pg.4).

Water rights consultant Scott Irvin analyzed aerial images from 1968 and 1971 and calculated 267.00 historically irrigated acres at the claimed place of use for claim 41S 150632-00. (Doc. 6.00, Exhibit A). Additionally, the Affidavits of Clinton Carr and Bob Gilkey speak to personal knowledge of irrigation at the claimed place of use. (Doc. 6.00 Exhibits B and C).

The August 12, 2024 filing proposes the following modifications to claim 41S 150632-00:

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County	
1	139.00	140.00		SE	1	14N	14E	JUDITH BASIN
2		74.00		E2SW	1	14N	14E	JUDITH BASIN
3		9.00		SENE	1	14N	14E	JUDITH BASIN
4	34.00	24.00		S2NE	1	14N	14E	JUDITH BASIN
Total:		258.00						

9. **Claim 41S 150633-00:** Claim 41S 150633-00 was decreed with DNRC issue remarks:

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
 THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY (1983) APPEARS TO INDICATE 225.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
 USDA AERIAL PHOTOGRAPH NO. 30045-179-110 , DATED 09/17/1979 APPEARS TO INDICATE 230.40 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
 THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

The Claimants agree to reduce claim 41S 150633-00, resolving the issue remarks:

Flow Rate: 2.84 CFS 7.30 CFS
 Maximum Acres: 75.00 258.00

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County	
1	45.50	140.00	S2SE	SE	1	14N	14E	JUDITH BASIN
2	28.50	74.00	N2SE	E2SW	1	14N	14E	JUDITH BASIN
3	1.00	0.00	SESENE	SENE	1	14N	14E	JUDITH BASIN
4		24.00		S2NE	1	14N	14E	JUDITH BASIN
Total:		268.00						75.00

10. **Claims 41S 150634-00 and 41S 150635-00:** Claims 41S 150634-00 and 41S 150635-00 were decreed with DNRC issue remarks:

CLAIM FILED LATE 08/11/1982 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.
 THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY (1983) APPEARS TO INDICATE 225.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
 USDA AERIAL PHOTOGRAPH NO(S). 30045-179-110 , DATED 09/17/1979 , APPEARS TO INDICATE 230.40 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
 THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

Like claim 41S 150632-00, the August 12, 2024 filing proposes the following modifications for claims 41S 150634-00 and 41S 150635-00:

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	139.00	140.00	SE	1	14N	14E	JUDITH BASIN
2	74.00		E2SW	1	14N	14E	JUDITH BASIN
3	9.00		SENW	1	14N	14E	JUDITH BASIN
4	34.00	24.00	S2NE	1	14N	14E	JUDITH BASIN
Total:	256.00						

11. **Claim 41S 150646-00:** Claim 41S 150646-00 was decreed with DNRC issue remarks:

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
 THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY (1983) APPEARS TO INDICATE 225.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
 USDA AERIAL PHOTOGRAPH NO(S). 30045-179-110 , DATED 09/17/1979 , APPEARS TO INDICATE 230.40 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
 THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

Like claims 41S 150632-00, 41S 150634-00, and 41S 150635-00, claim 41S 150646-00 should be modified as follows:

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	139.00	140.00	SE	1	14N	14E	JUDITH BASIN
2	74.00		E2SW	1	14N	14E	JUDITH BASIN
3	9.00		SENW	1	14N	14E	JUDITH BASIN
4	34.00	24.00	S2NE	1	14N	14E	JUDITH BASIN
Total:	256.00						

12. **Claim 41S 150648-00:** Claim 41S 150648-00 was decreed with DNRC issue remarks:

THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY (1983) APPEARS TO INDICATE 92.50 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
 USDA AERIAL PHOTOGRAPH NO(S). 30045-179-110 , DATED 09/17/1979 , APPEARS TO INDICATE 92.50 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
 THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

According to the August 12, 2024 filing, the Claimants agree to reduce claim 41S 150648-00, resolving the issue remarks:

Maximum Acres: 92.50 111.00

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	80.00	71.00	S2SE	1	14N	14E	JUDITH BASIN
2	32.50	40.00	SESW	1	14N	14E	JUDITH BASIN
Total:	112.50	111.00					

13. **Claim 41S 150649-00:** Claim 41S 150649-00 was decreed with DNRC issue remarks:

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY (1983) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
USDA AERIAL PHOTOGRAPH NO(S). 30045-279-17 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

According to the August 12, 2024 filing, the Claimants agree claim 41S 150649-00 should be dismissed.

PRINCIPLES AND CONCLUSIONS OF LAW

1. The Water Court must address all issue remarks that appear on a claim as well as any objections the claim receives. Sections 85-2-233, 85-2-247, and 85-2-248, MCA.
2. 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.
3. Claims 41S 150629-00, 41S 150630-00, 41S 150631-00, 41S 150635-00, 41S 150635-00 are late claims. The late claim issue remark decreed on the claims gave notice that the claims could be subordinate and therefore junior to certain permits and reservations of water. Any party asserting a superior claim to water based on a permit or reservation was required to file an objection to the late claims during the Basin objection period. Because no such objections were filed, this remark can now be removed from the claim.
4. Remarks were decreed on some claims in this Case indicating the supplemental information remarks should be modified because of the places of use being modified. Ultimately, supplemental rights remarks will be removed from claims in final decree, and the Court no longer modifies supplemental rights remarks.

RECOMMENDATIONS

1. Claims 41S 48743-00, 41S 150629-00, 41S 150630-00, 41S 150631-00, 41S 150632-00, 41S 150633-00, 41S 150634-00, 41S 150635-00, 41S 150646-00, 41S 150648-00 should be modified as described in the Findings of Facts.

2. Claim 41S 150649-00 should be dismissed.

3. The issue remarks should be removed from claims 41S 48743-00, 41S 150629-00, 41S 150630-00, 41S 150631-00, 41S 150632-00, 41S 150633-00, 41S 150634-00, 41S 150635-00, 41S 150646-00, 41S 150648-00.

Abstracts are served with the Report for review.

ELECTRONICALLY SIGNED AND DATED BELOW.

Service Via Electronic Mail:

Oliver J. Urick
~~Clare N. Ols~~
Urick Law Firm PLLC
P.O. Box 556
Stanford, MT 59479
ourick@uricklawfirm.com
~~eols@uricklawfirm.com~~
(Last Order for Clare Ols)

Caption Updated: 12/5/2024

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Kyle E. Carr
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Hobson, MT 59452-0273

Donald L. Taylor
Pauline A. Taylor
1049 Louse Creek Ln
Lewistown, MT 59457-3936

**POST DECREE
 ABSTRACT OF WATER RIGHT CLAIM
 JUDITH RIVER
 BASIN 41S**

Water Right Number: 41S 48743-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: DONALD L TAYLOR
 1049 LOUSE CREEK LN
 LEWISTOWN, MT 59457-3936

PAULINE A TAYLOR
 1049 LOUSE CREEK LN
 LEWISTOWN, MT 59457-3936

Priority Date: DECEMBER 31, 1915

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: NATURAL SUBIRRIGATION

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED FOR THIS USE OF NATURAL SUBIRRIGATION.

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

Climatic Area: 3 - MODERATE

Maximum Acres: 65.00

Source Name: SUBIRRIGATION, UNNAMED TRIBUTARY OF LOUSE 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		N2SE	26	16N	15E	JUDITH BASIN
Period of Diversion:	APRIL 15 TO OCTOBER 31					
Diversion Means:	FLOWING					
2		NWSW	25	16N	15E	JUDITH BASIN
Period of Diversion:	APRIL 15 TO OCTOBER 31					
Diversion Means:	FLOWING					
3		S2SWNW	25	16N	15E	JUDITH BASIN
Period of Diversion:	APRIL 15 TO OCTOBER 31					
Diversion Means:	FLOWING					

Period of Use: APRIL 15 TO OCTOBER 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	37.00		N2SE	26	16N	15E	JUDITH BASIN
2	5.00		S2SWNW	25	16N	15E	JUDITH BASIN
3	23.00		NWSW	25	16N	15E	JUDITH BASIN
Total:	<u>65.00</u>						

Contract for Deed Purchasers: KYLE E CARR
PO BOX 273
HOBSON, MT 59452-0273

STEPHANIE M CARR
PO BOX 273
HOBSON, MT 59452-0273

THIS WATER RIGHT IS APPURTENANT TO REAL PROPERTY THAT IS THE SUBJECT OF A CONTRACT FOR DEED. THE CONTRACT FOR DEED PURCHASER IS ENTITLED TO THE SAME NOTICE AS THE OWNER OF THE PROPERTY PURSUANT TO 85-2-232(1)(C) AND 70-20-115, MCA. REFERENCE TO THE CONTRACT FOR DEED PURCHASERS IN THIS ABSTRACT IS FOR NOTICE PURPOSES ONLY AND DOES NOT AMOUNT TO A STATEMENT REGARDING OWNERSHIP. UPON TRANSFER OF THE PROPERTY IDENTIFIED AS THE PLACE OF USE FOR THIS WATER RIGHT, THE TRANSFEREE IS RESPONSIBLE FOR UPDATING OWNERSHIP AS REQUIRED BY 85-2-423 AND -424, MCA. IN THE EVENT OF A DEFAULT RESULTING IN TERMINATION OF THE CONTRACT FOR DEED AND RELEASE OF DOCUMENTS FROM ESCROW, THE OWNERS SHALL PROVIDE THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION WITH A COPY OF A QUIT CLAIM DEED OR SIMILAR INSTRUMENT INDICATING THE CONTRACT FOR DEED PURCHASERS ARE NO LONGER ENTITLED TO RECEIVE NOTICE OF PROCEEDINGS INVOLVING THIS WATER RIGHT.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S**

Water Right Number: 41S 150629-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Late Claim: B

Owners:

CLINTON E CARR
PO BOX 184
HOBSON, MT 59452-0184

NATHAN W CARR
PO BOX 206
HOBSON, MT 59452-0206

VALERIE S CARR
PO BOX 184
HOBSON, MT 59452-0184

PART OF THIS RIGHT WAS ALSO CLAIMED BY THE CLAIMANT OF FILES NO.W150635-00,W150634-00. THE WATER COURT DECREES THIS RIGHT AND MAKES BOTH CLAIMANTS OF THE RIGHT A MATTER OF RECORD.

***Priority Date:** JULY 16, 1882

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 06/11/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.75 CFS

CASE NO.338 IN FERGUS COUNTY DECREES ALL OF THE WATER FROM SPRINGS AND A BRANCH CREEK DESIGNATED IN THE COMPLAINT.

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

Climatic Area: 3 - MODERATE

Maximum Acres: 44.10

Source Name: SPRING, UNNAMED TRIBUTARY OF JUDITH RIVER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNW	12	14N	14E	JUDITH BASIN

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 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	37.60		S2NW	6	14N	15E	JUDITH BASIN
2	6.50		N2NW	6	14N	15E	JUDITH BASIN
Total:	44.10						

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.

150629-00	150630-00	150631-00	150636-00	150637-00	150638-00
150644-00	150650-00				

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S**

Water Right Number: 41S 150630-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Late Claim: B

Owners:

CLINTON E CARR
PO BOX 184
HOBSON, MT 59452-0184

NATHAN W CARR
PO BOX 206
HOBSON, MT 59452-0206

VALERIE S CARR
PO BOX 184
HOBSON, MT 59452-0184

PART OF THIS RIGHT WAS ALSO CLAIMED BY THE CLAIMANT OF FILES NO.W150635-00,W150634-00. THE WATER COURT DECREES THIS RIGHT AND MAKES BOTH CLAIMANTS OF THE RIGHT A MATTER OF RECORD.

Priority Date: MAY 31, 1882

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 06/11/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.75 CFS

CASE NO.338 IN FERGUS COUNTY DECREES ALL OF THE WATER FROM SPRINGS AND A BRANCH CREEK DESIGNATED IN THE COMPLAINT.

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

Climatic Area: 3 - MODERATE

Maximum Acres: 44.10

Source Name: SPRING, UNNAMED TRIBUTARY OF JUDITH RIVER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNE	11	14N	14E	JUDITH BASIN

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 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	37.60		S2NW	6	14N	15E	JUDITH BASIN
2	6.50		N2NW	6	14N	15E	JUDITH BASIN
Total:	44.10						

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.

150629-00	150630-00	150631-00	150636-00	150637-00	150638-00
150644-00	150650-00				

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S**

Water Right Number: 41S 150631-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Late Claim: B

Owners:

CLINTON E CARR
PO BOX 184
HOBSON, MT 59452-0184

NATHAN W CARR
PO BOX 206
HOBSON, MT 59452-0206

VALERIE S CARR
PO BOX 184
HOBSON, MT 59452-0184

PART OF THIS RIGHT WAS ALSO CLAIMED BY THE CLAIMANT OF FILES NO.W150635-00,W150634-00. THE WATER COURT DECREES THIS RIGHT AND MAKES BOTH CLAIMANTS OF THE RIGHT A MATTER OF RECORD.

Priority Date: MAY 31, 1882

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 06/11/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.75 CFS

CASE NO.338 IN FERGUS COUNTY DECREES ALL OF THE WATER FROM SPRINGS AND A BRANCH CREEK DESIGNATED IN THE COMPLAINT.

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

Climatic Area: 3 - MODERATE

Maximum Acres: 44.10

Source Name: SPRING, UNNAMED TRIBUTARY OF JUDITH RIVER

Source Type: GROUNDWATER

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		NWSENE	11	14N	14E	JUDITH BASIN

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 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	37.60		S2NW	6	14N	15E	JUDITH BASIN
2	6.50		N2NW	6	14N	15E	JUDITH BASIN
Total:	44.10						

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.

150629-00	150630-00	150631-00	150636-00	150637-00	150638-00
150644-00	150650-00				

**POST DECREE
 ABSTRACT OF WATER RIGHT CLAIM
 JUDITH RIVER
 BASIN 41S**

Water Right Number: 41S 150632-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: CLINTON E CARR
 PO BOX 184
 HOBSON, MT 59452-0184

VALERIE S CARR
 PO BOX 184
 HOBSON, MT 59452-0184

Priority Date: MAY 20, 1949

Type of Historical Right: FILED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 7.38 CFS

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

Climatic Area: 3 - MODERATE

Maximum Acres: 256.00

Source Name: SPRING, UNNAMED TRIBUTARY OF JUDITH RIVER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNW	12	14N	14E	JUDITH BASIN

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 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	139.00		SE	1	14N	14E	JUDITH BASIN
2	74.00		E2SW	1	14N	14E	JUDITH BASIN
3	9.00		SESW	1	14N	14E	JUDITH BASIN
4	34.00		S2NE	1	14N	14E	JUDITH BASIN
Total:	<u>256.00</u>						

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.

150632-00	150633-00	150634-00	150635-00	150646-00	150647-00
150648-00	150657-00	150658-00	150659-00	150660-00	150661-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S**

Water Right Number: 41S 150633-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: CLINTON E CARR
PO BOX 184
HOBSON, MT 59452-0184

VALERIE S CARR
PO BOX 184
HOBSON, MT 59452-0184

Priority Date: MAY 20, 1949

Type of Historical Right: FILED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.84 CFS

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

Climatic Area: 3 - MODERATE

Maximum Acres: 75.00

Source Name: SPRING, UNNAMED TRIBUTARY OF JUDITH RIVER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNE	12	14N	14E	JUDITH BASIN

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 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	45.50		S2SE	1	14N	14E	JUDITH BASIN
2	28.50		N2SE	1	14N	14E	JUDITH BASIN
3	1.00		SESENE	1	14N	14E	JUDITH BASIN

Total: 75.00

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.

150632-00	150633-00	150634-00	150635-00	150646-00	150647-00
150648-00	150657-00	150658-00	150659-00	150660-00	150661-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S**

Water Right Number: 41S 150634-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Late Claim: B

Owners: CLINTON E CARR
PO BOX 184
HOBSON, MT 59452-0184

VALERIE S CARR
PO BOX 184
HOBSON, MT 59452-0184

PART OF THIS RIGHT WAS ALSO CLAIMED BY THE CLAIMANT OF FILES NO.W150629-00,W150630-00. THE WATER COURT DECREES THIS RIGHT AND MAKES BOTH CLAIMANTS OF THE THE RIGHT A MATTER OF RECORD.

Priority Date: MAY 31, 1882

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 06/11/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.50 CFS

CASE NO.338 IN FERGUS COUNTY DECREES ALL OF THE WATER FROM SPRINGS AND A BRANCH CREEK DESIGNATED IN THE COMPLAINT.

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

Climatic Area: 3 - MODERATE

Maximum Acres: 256.00

Source Name: SPRING, UNNAMED TRIBUTARY OF JUDITH RIVER

Source Type: GROUNDWATER

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		NWSENE	11	14N	14E	JUDITH BASIN

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 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	139.00		SE	1	14N	14E	JUDITH BASIN

2	40.00	SESW	1	14N	14E	JUDITH BASIN
3	34.00	NESW	1	14N	14E	JUDITH BASIN
4	9.00	SESW	1	14N	14E	JUDITH BASIN
5	34.00	S2NE	1	14N	14E	JUDITH BASIN
Total:	<u>256.00</u>					

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.

150632-00	150633-00	150634-00	150635-00	150646-00	150647-00
150648-00	150657-00	150658-00	150659-00	150660-00	150661-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S**

Water Right Number: 41S 150635-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Late Claim: B

Owners: CLINTON E CARR
PO BOX 184
HOBSON, MT 59452-0184

VALERIE S CARR
PO BOX 184
HOBSON, MT 59452-0184

PART OF THIS RIGHT WAS ALSO CLAIMED BY THE CLAIMANT OF FILES NO.W150629
-00,W150630-00. THE WATER COURT DECREES THIS RIGHT AND MAKES BOTH
CLAIMANTS OF THE THE RIGHT A MATTER OF RECORD.

Priority Date: MAY 31, 1882

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 06/11/1982 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS
CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL
RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON
STATE LAW.

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.50 CFS

CASE NO.338 IN FERGUS COUNTY DECREES ALL OF THE WATER FROM SPRINGS
AND A BRANCH CREEK DESIGNATED IN THE COMPLAINT.

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

Climatic Area: 3 - MODERATE

Maximum Acres: 256.00

Source Name: SPRING, UNNAMED TRIBUTARY OF JUDITH RIVER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNE	11	14N	14E	JUDITH BASIN

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 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	139.00		SE	1	14N	14E	JUDITH BASIN

2	40.00	SESW	1	14N	14E	JUDITH BASIN
3	34.00	NESW	1	14N	14E	JUDITH BASIN
4	9.00	SESW	1	14N	14E	JUDITH BASIN
5	34.00	S2NE	1	14N	14E	JUDITH BASIN
Total:	<u>256.00</u>					

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.

150632-00	150633-00	150634-00	150635-00	150646-00	150647-00
150648-00	150657-00	150658-00	150659-00	150660-00	150661-00

**POST DECREE
 ABSTRACT OF WATER RIGHT CLAIM
 JUDITH RIVER
 BASIN 41S**

Water Right Number: 41S 150646-00 STATEMENT OF CLAIM
Version: 4 -- POST DECREE
Status: ACTIVE

Owners: CLINTON E CARR
 PO BOX 184
 HOBSON, MT 59452-0184
 VALERIE S CARR
 PO BOX 184
 HOBSON, MT 59452-0184

Priority Date: JUNE 9, 1894

Type of Historical Right: FILED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 9.70 CFS

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

Climatic Area: 3 - MODERATE

Maximum Acres: 256.00

Source Name: JUDITH 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		NENENE	10	14N	14E	JUDITH BASIN

Period of Diversion: MAY 1 TO OCTOBER 31

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 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	139.00		SE	1	14N	14E	JUDITH BASIN
2	40.00		SESW	1	14N	14E	JUDITH BASIN
3	34.00		NESW	1	14N	14E	JUDITH BASIN
4	9.00		SESW	1	14N	14E	JUDITH BASIN
5	34.00		S2NE	1	14N	14E	JUDITH BASIN
Total:	256.00						

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.

150632-00	150633-00	150634-00	150635-00	150646-00	150647-00
150648-00	150657-00	150658-00	150659-00	150660-00	150661-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S**

Water Right Number: 41S 150648-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: CLINTON E CARR
PO BOX 184
HOBSON, MT 59452-0184

VALERIE S CARR
PO BOX 184
HOBSON, MT 59452-0184

Priority Date: JULY 1, 1886

Type of Historical Right: FILED

Purpose (Use): IRRIGATION

Irrigation Type: 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: 3 - MODERATE

Maximum Acres: 92.50

Source Name: JUDITH 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		NENENE	10	14N	14E	JUDITH BASIN

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 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	60.00		S2SE	1	14N	14E	JUDITH BASIN
2	32.50		SESW	1	14N	14E	JUDITH BASIN

Total: 92.50

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.

150632-00	150633-00	150634-00	150635-00	150646-00	150647-00
150648-00	150657-00	150658-00	150659-00	150660-00	150661-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JUDITH RIVER
BASIN 41S**

Water Right Number: 41S 150649-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: **DISMISSED**

Owners: CLINTON E CARR
PO BOX 184
HOBSON, MT 59452-0184

VALERIE S CARR
PO BOX 184
HOBSON, MT 59452-0184

Priority Date:

Type of Historical Right:

Purpose (Use): IRRIGATION

Flow Rate:

Volume:

Source Name: UNNAMED TRIBUTARY OF JUDITH RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS DISMISSED BY ORDER OF THE WATER COURT.