

Montana Water Court  
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**FILED**  
06/25/2024  
Sara Calkins  
CLERK  
Montana Water Court  
STATE OF MONTANA  
By: D'Ann CIGLER  
40A-0309-R-2022  
Lockman, Melissa  
18.00

IN THE WATER COURT OF THE STATE OF MONTANA  
LOWER MISSOURI DIVISION  
MUSSELSHELL RIVER ABOVE ROUNDUP BASIN (40A)  
PRELIMINARY DECREE

\*\*\*\*\*

CLAIMANT: The Glennie Ranches Inc.

**CASE 40A-0309-R-2022**

40A 143296-00    40A 143358-00  
40A 143298-00    40A 143360-00  
40A 143325-00    40A 143364-00  
40A 143331-00    40A 203779-00  
40A 143338-00    40A 203782-00  
40A 143341-00    40A 203783-00  
40A 143348-00

**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**

The above-captioned claims appeared in the Preliminary Decree for the Musselshell River above Roundup (Basin 40A) issued on June 7, 2017. The claims are

owned by The Glennie Ranches Inc. The claims did not receive objections, counterobjections, or notices of intent to appear but did receive issue remarks during the DNRC’s claims reexamination. Issue remarks are notations identifying potential legal or factual issues with water rights and the Water Court is required to resolve these potential issues.

FINDINGS OF FACT

**40A 143296-00**

1. Claim 40A 143296-00 was decreed as a claim for flood irrigation that diverts water from an unnamed tributary of American Fork via a dike in the N2S2 of Section 15, T6N, R14E, Wheatland County.

2. The claim received the following issue remark:

THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE DIKE CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

3. On May 13, 2024, Claimant filed information addressing the issue remarks. (Doc.<sup>1</sup> 17.00). Based on information provided by Claimant, water was historically diverted via two dikes on the unnamed tributary of American Fork – one in the SENWSE of Section 15, T6N, R14E, Wheatland County and one in the SESWNW of Section 15, T6N, R14E, Wheatland County.

4. Claim 40A 143296-00 appeared in the Basin 40A Temporary Preliminary Decree (TPD) with its point of diversion and means of diversion for claim 40A 143296-00 as “dikes”:

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POINTS OF DIVERSION AND MEANS OF DIVERSION:  
LOT BLK QTR SEC SEC TWP RGE COUNTY  
N2S2 15 06N 14E WHEATLAND DIKES

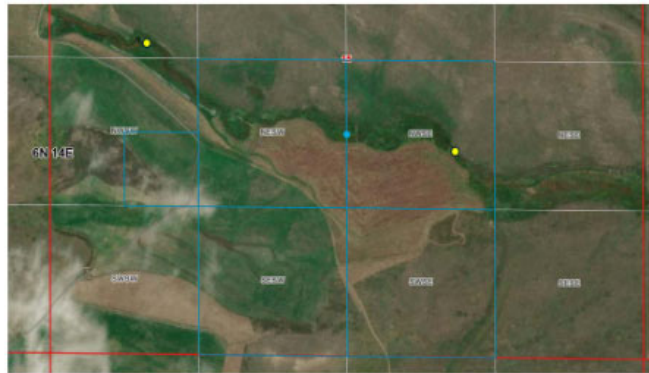
5. At some point the means of diversion “dikes” was modified to “dike.” Nothing in the claim file supports this modification.

6. The legal land description of the second dike (SESWNW of Section 15) is not within the originally claimed point of diversion (the N2S2 of Section 15). However, as shown on the map provided by Claimant, the dike in the SESWNW of Section 15 is

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<sup>1</sup> “Doc.” numerical references correlate to case file docket numbers in the Water Court’s Full Court case management system.

very close to the dividing line between the SWNW of Section 15 and the NWSW of Section 15:



**40A 143298-00**

7. Claim 40A 143298-00 was decreed as a claim for flood irrigation that diverts water from American Fork via a ditch in the SESWSE of Section 23, T6N, R13E, Wheatland County.

8. Claimant originally claimed the point of diversion in the SENENW of Section 20, T6N, R14E, Wheatland County.

9. Prior to the issuance of the TPD, Claimant included 10 additional points of diversion. Therefore, claim 40A 143298-00 appeared in the TPD with the following points of diversion:

<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
SENENW	20	06N	14E	WHEATLAND
SWNWNE	20	06N	14E	WHEATLAND
NESWNW	20	06N	14E	WHEATLAND
NENWNE	21	06N	14E	WHEATLAND
SWNWNW	22	06N	14E	WHEATLAND
SWSWSE	23	06N	13E	WHEATLAND
SWNWSE	24	06N	13E	WHEATLAND
SENWSE	27	06N	13E	WHEATLAND
NWSENE	28	06N	13E	WHEATLAND
SENWSE	28	06N	13E	WHEATLAND
SWSESW	28	06N	13E	WHEATLAND

10. Claim 40A 143298-00 received objections, and those objections were resolved under the TPD.

11. In the Master’s Report, filed on June 10, 2004, the Court found that:

The point of diversion should be

<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
SWSWSE	23	6N	13E	WHEATLAND

THE POINT OF DIVERSION IS ON THE NORTH SIDE OF  
AMERICAN FORK

12. Claimant objected to the Master's Report based on an issue unrelated to claim 40A 143298-00's point of diversion. The resolution of the objection was stayed pending the resolution of a related case. The Master's Report was not adopted until July 28, 2017. The Basin 40A Preliminary Decree was issued on June 7, 2017.

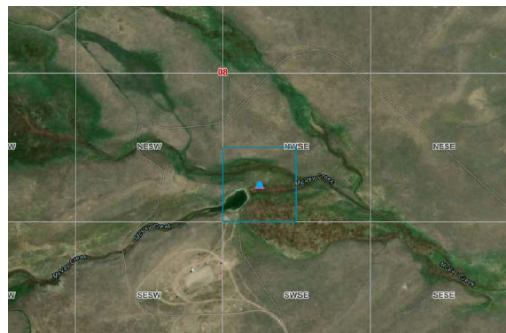
13. After the issuance of the Master's Report but before the issuance of the Order Adopting, the DNRC reexamined claim 40A 143298-00. During its reexamination, the DNRC modified the point of diversion.

14. Claimant now requests the point of diversion be corrected to the SWSWSE of Section 23, T6N, R13E, Wheatland County to be consistent with the TPD Master's Report and Order Adopting.

#### **40A 143338-00**

15. Claim 40A 143338-00 was decreed as a claim for a stock reservoir on McVay Creek. The location of the reservoir was decreed as being in the SWNWSE of Section 8, T7N, R15E, Wheatland County.

16. Claimant requested that the place of use be modified to include the NESW (or SENESW) of Section 8. The map provided by Claimant shows the reservoir does extend into the SENESW of Section 8:



17. The Statement of Claim and TPD listed the location of the reservoir as the NESW of Section 8, T7N, R15E, Wheatland County. Claimant owns the entirety of Section 8.

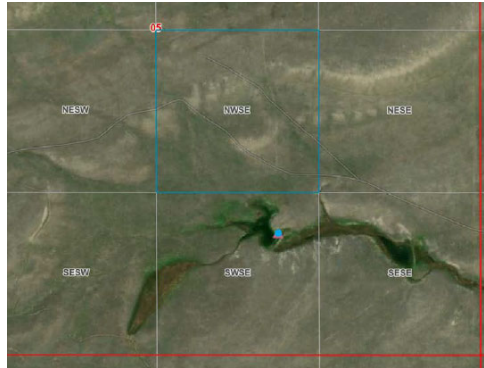
**40A 143341-00**

18. Claim 40A 143341-00 was decreed as a claim for stock drinking from an onstream reservoir on an unnamed tributary of Lebo Creek.

19. During reexamination, the DNRC modified the point of diversion to the NWSWSE of Section 5, T7N, R15E, Wheatland County. The claim received the following issue remark:

THE PLACE OF USE APPEARS TO BE INCORRECT. THE PLACE OF USE APPEARS TO BE IN THE NESWSE SEC 5 TWP 7N RGE 15E WHEATLAND CO.

20. Claimant agrees with the DNRC's recommended modification to the place of use, but requests that the legal land description include the NWSWSE of Section 5, as the reservoir is in both the NE and NW of the SWSE of Section 5:



**40A 143348-00**

21. Claim 40A 143348-00 appeared in the Basin 40A Preliminary Decree as a claim for stock drinking from an onstream reservoir in the NESWNE of Section 14, T5N, R13E, Sweet Grass County. The claim received the following issue remark:

THE POINT OF DIVERSION, RESERVOIR RECORD, AND PLACE OF USE ARE IN QUESTION. THERE DOES NOT APPEAR TO BE A RESERVOIR AT THE CLAIMED LOCATION.

22. Based on the evidence provided by Claimant, the claimed reservoir is in Section 13, not Section 14.

23. Additionally, Claimant requested that the place of use be modified to include the NESENW of Section 13 as the reservoir extends to there when sufficient water is available.

**40A 143358-00**

24. Claim 40A 143358-00 appeared in the Basin 40A Preliminary Decree as a claim for stock drinking from an onstream reservoir in the SWNENE of Section 28, T6N, R14E, Wheatland County. The claim received the following issue remark:

THE POINT OF DIVERSION, RESERVOIR RECORD, AND PLACE OF USE MAY BE INCORRECT. THERE DOES NOT APPEAR TO BE A RESERVOIR AT THE CLAIMED LOCATION. BASED ON REVIEW OF TOPOGRAPHIC MAPS, IT APPEARS THE RESERVOIR IS LOCATED IN THE N2SWNW SEC 28 TWP 6N RGE 14E WHEATLAND CO.

25. Claimant agrees the point of diversion and reservoir record should be modified to the N2SWNW of Section 28, T6N, R14E, Wheatland County.

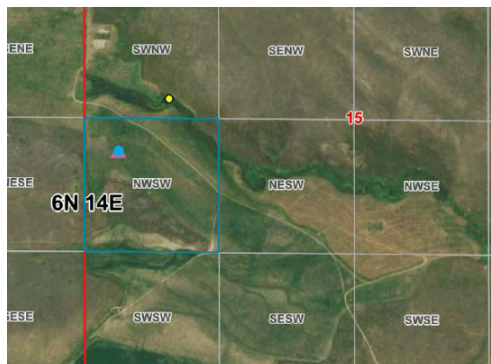
26. Based on the information provided by Claimant, the place of use should be modified to the SWNW of Section 28 instead of the N2SWNW of Section 28 to include the entirety of the reservoir.

**40A 143364-00**

27. Claim 40A 143364-00 appeared in the Basin 40A Preliminary Decree as a claim for stock drinking from an onstream reservoir in the NWSW of Section 15, T6N, R14E, Wheatland County. The claim received the following issue remarks:

THE POINT OF DIVERSION, RESERVOIR RECORD, AND PLACE OF USE ARE IN QUESTION. THERE DOES NOT APPEAR TO BE A RESERVOIR AT THE CLAIMED LOCATION. DNRC IS UNABLE TO ESTIMATE THE CLAIMED RESERVOIR'S CAPACITY BASED ON REVIEW OF AVAILABLE RESOURCES. MORE INFORMATION IS NEEDED.

28. Based on the information provided by Claimant, the point of diversion and reservoir record should be modified to the SESWNW of Section 15, T6N, R14E, Wheatland County and the place of use should be modified to the S2SWNW of Section 15, T6N, R14E, Wheatland County:



**40A 203783-00**

29. Claim 40A 203783-00 was decreed with the following issue remark:

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON LEBO CREEK WITH A PRIORITY DATE PREDATING CASE NO. 1591, MEAGHER COUNTY.

30. There is no evidence before the Court that the priority date of claim 40A 203783-00 is incorrect.

### Notice-Type Issue Remarks

31. The claims received the following notice-type issue remarks:

*40A 143298-00, 40A 203783-00*

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

*40A 143325-00, 40A 143348-00, 40A 143358-00, 40A 143360-00,  
40A 203779-00, 40A 203782-00*

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

*40A 143331-00*

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

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

*40A 143338-00, 40A 143341-00*

POINT OF DIVERSION, MEANS OF DIVERSION, RESERVOIR RECORD, AND PLACE OF USE 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.

*40A 143364-00*

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

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

32. The issue remarks identify elements modified as a result of DNRC review pursuant to Montana Water Court reexamination orders. The remarks indicate that if no objections are filed, the elements of the claim will remain as they appear on the abstract and the remarks will be removed. None of the claims received objections.

### PRINCIPLES OF LAW

1. A properly filed Statement of Claim for an existing water right is prima facie proof of its content. Section 85-2-227, MCA; Rule 10, W.R.Adj.R.

2. Prima facie proof may be contradicted and overcome by a preponderance of the evidence. Rule 19, W.R.Adj.R.

3. A preponderance of the evidence is evidence that shows a fact is “more probable than not.” *Hohenlohe v. State*, 2010 MT 203, ¶ 33, 357 Mont. 438, 240 P.3d 628.

4. If prima facie status is overcome, the burden shifts back to the claimant to demonstrate historical use. *79 Ranch v. Pitsch*, 204 Mont. 426, 432-33, 666 P.2d 215, 218 (1983).

5. Section 85-2-248(2), MCA, requires that the Water Court resolve all issue remarks that are not resolved through the objection process. *See also* Rule 7, W.R.Adj.R.

6. The Water Court may use information submitted by the DNRC, the Statement of Claim, and any other data obtained by the Court to evaluate a water right. Sections 85-2-227, -231(2), MCA.

7. When resolving issue remarks, the Water Court must weigh the information resulting in the issue remark and the issue remark against the claimed water right. Section 85-2-247(2), MCA. The factual evidence on which an issue remark is based must meet the preponderance of evidence standard before the prima facie status of a claim is overcome. 43Q 200996-00 et al., Order Establishing Volume and Order Closing Case, at 18, June 8, 2015.

8. The Court may correct a clerical mistake found in a judgment, order, or other part of the record on motion or on its own, with or without notice. Rule 60(a), M.R.Civ.P.

#### CONCLUSIONS OF LAW

##### **40A 143296-00**

1. The point of diversion issue remark overcomes the prima facie status of claim 40A 143296-00. Claimant showed by a preponderance of the evidence there are two points of diversion – one in the SESWNW of Section 15, T6N, R14E, Wheatland County, and one in the SENWSE of Section 15, T6N, R14E, Wheatland County.

##### **40A 143298-00**

2. The point of diversion for claim 40A 143298-00 was adjudicated during the TPD. Pursuant to Rule 60(a), M.R.Civ.P., the point of diversion for claim 40A 143298-00 should be corrected to the SWSWSE of Section 23, T6N, R13E, Wheatland County.



**40A 143338-00**

3. Claimant's request to modify the place of use is a motion to amend the claim. Although place of use appeared as an element on the Basin 40A Preliminary Decree Objection List, the issue remark that put the place of use on the Objection List stated that "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." Claimant did not object to the place of use for claim 40A 143338-00.

4. The proposed place of use legal land description amendment does not have a reasonable potential to adversely affect other water users and therefore does not require further notice as provided for in Section 85-2-233(6), MCA. The change does not constitute an expansion of the elements of the claim, and merely corrects the paper water right; the use of the water right on the ground has not changed.

5. Based on the evidence provided by Claimant, the reservoir extends into the SENESW of Section 8, T7N, R15E, Wheatland County.

**40A 143341-00**

6. The place of use issue remark overcomes the prima facie status of claim 40A 143341-00. Based on the evidence in the claim file and provided by Claimant, the place of use should be modified to the N2SWSE of Section 5, T7N, R15E, Wheatland County.

**40A 143348-00**

7. The reservoir issue remark overcomes the prima facie status of the claim. Based on the evidence in the claim file and provided by Claimant, the section number for the point of diversion, reservoir record, and place of use should be modified to Section 13. The place of use should be modified to include the NESENW of Section 13, T5N, R13E, Sweet Grass County.

**40A 143358-00**

8. The reservoir issue remark overcomes the prima facie status of the claim. Based on the evidence in the claim file and provided by Claimant, the point of diversion, reservoir record, and place of use should be modified to the SWNW of Section 28, T6N, R14E, Wheatland County.

#### **40A 143364-00**

9. The reservoir issue remark overcomes the prima facie status of claim 40A 143364-00. Based on the evidence in the claim file and provided by Claimant, the point of diversion and reservoir record should be modified to the SESWNW of Section 15, T6N, R14E, Wheatland County. The place of use should be modified to the S2SWNW of Section 15, T6N, R14E, Wheatland County.

10. The reservoir capacity issue remark does not overcome the prima facie status of the claim. The claimed reservoir is very small and does not have a storage component.

#### **40A 203783-00**

11. The priority date issue remark does not overcome the prima facie status of claim 40A 203783-00. There are several possible explanations for why the claimed filed right did not appear in the decree and there is not sufficient evidence before the Court to indicate the claimed priority date is inaccurate. The priority date of claim 41I 203783-00 should remain unchanged, and the priority date remark should be removed.

#### **Notice-Type Issue Remarks**

12. Each remark in Finding of Fact No. 31 provides notice of the changes made after completion of the Temporary Preliminary Decree proceedings and prior to issuance of the Preliminary Decree. The remarks do not raise unresolved issues that need to be addressed. No proceedings are required to resolve the remarks; the remarks should be removed from the abstracts.

#### RECOMMENDATIONS

1. The point of diversion for claim 40A 143296-00 should be modified to two dikes – one in the SESWNW of Section 15, T6N, R14E, Wheatland County and one in the SENWSE of Section 15, T6N, R14E, Wheatland County.

2. The point of diversion for claim 40A 143298-00 should be corrected to the SWSWSE of Section 23, T6N, R13E, Wheatland County.

3. The place of use for claim 40A 143338-00 should be amended to include the SENESW of Section 8, T7N, R15E, Wheatland County.

4. The place of use for claim 40A 143341-00 should be modified to the N2SWSE of Section 5, T7N, R15E, Wheatland County.
5. The point of diversion and reservoir record for claim 40A 143348-00 should be modified to Section 13, and the place of use should be modified to include the NESENEW of Section 13, T5N, R13E, Sweet Grass County.
6. The point of diversion, reservoir record, and place of use for claim 40A 143358-00 should be modified to the SWNW of Section 28, T6N, R14E, Wheatland County.
7. The point of diversion and reservoir record for claim 40A 143364-00 should be modified to the SESWNW of Section 15, T6N, R14E, Wheatland County and the place of use should be modified to the S2SWNW of Section 15, T6N, R14E, Wheatland County.
8. The issue remarks should be removed from the claim abstracts.  
A post decree abstract of each water right claim reflecting the recommended changes is attached to this Report.

**ELECTRONICALLY SIGNED AND DATED BELOW.**

**Service via Electronic Mail**  
Benjamin S Sudduth  
SUDDUTH LAW PLLC  
PO Box 507  
Bozeman, MT 59771-0507  
406-272-2390  
benjamin@sudduthlaw.com

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MUSSELSHELL RIVER, ABOVE ROUNDUP  
BASIN 40A**

**Water Right Number:** 40A 143296-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** GLENNIE RANCHES INC, THE  
% JANE GLENNIE, PRES  
PO BOX 207  
TWO DOT, MT 59085-0207

**Priority Date:** JULY 31, 1925

**Type of Historical Right:** USE

**Purpose (Use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 2.25 CFS

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

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 60.00

**Source Name:** UNNAMED TRIBUTARY OF AMERICAN FORK

**Source Type:** SURFACE WATER

SPRING HYDROLOGICALLY RELATED TO SOURCE.

**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		SESWNW	15	6N	14E	WHEATLAND

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

**Diversion Means:** DIKE

2		SENWSE	15	6N	14E	WHEATLAND
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**Period of Diversion:** MARCH 1 TO NOVEMBER 1

**Diversion Means:** DIKE

**Period of Use:** MARCH 1 TO NOVEMBER 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	13.00		NWSE	15	6N	14E	WHEATLAND
2	14.00		SWSE	15	6N	14E	WHEATLAND
3	15.00		NESW	15	6N	14E	WHEATLAND
4	1.00		SENWSW	15	6N	14E	WHEATLAND
5	17.00		SESW	15	6N	14E	WHEATLAND

**Total:** 60.00

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MUSSELSHELL RIVER, ABOVE ROUNDUP  
BASIN 40A**

**Water Right Number:** 40A 143298-00 STATEMENT OF CLAIM

**Version:** 4 -- POST DECREE

**Status:** ACTIVE

**Owners:** GLENNIE RANCHES INC, THE  
% JANE GLENNIE, PRES  
PO BOX 207  
TWO DOT, MT 59085-0207

**Priority Date:** MAY 1, 1890

**Type of Historical Right:** DECREED

**Purpose (Use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 1.25 CFS

THE STIPULATION FILED ON FEBRUARY 18, 2004 IN CASE 40A-124 INCLUDES THE FOLLOWING PROVISION: THE DIVERTED FLOW OF THE FOLLOWING WATER RIGHTS MAY BE MARSHALED BETWEEN AND AMONG THE VARIOUS POINTS OF DIVERSION AND PLACES OF USE OF ANY OF THESE RIGHTS SO LONG AS SUCH MARSHALING DOES NOT ADVERSELY AFFECT ANY OTHER WATER RIGHT AND SO LONG AS THESE RIGHTS ARE HELD BY A COMMON OWNER: 40A 143297-00, 40A 143298-00, 40A 143299-00, 40A 143300-00, 40A 143301-00, 40A 143302-00, 40A 143303-00, 40A 143304-00, 40A 143305-00 AND 40A 143306-00.

**\*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:** 95.00

**Source Name:** AMERICAN FORK

**Source Type:** SURFACE WATER

WATER FROM AMERICAN FORK IS EXCHANGED FOR WATER DIVERTED FROM AGNES CREEK.

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSE	23	6N	13E	WHEATLAND

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

**Diversion Means:** DITCH

THE POINT OF DIVERSION IS ON THE NORTH SIDE OF AMERICAN FORK.

**Period of Use:** MARCH 1 TO NOVEMBER 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	12.00		SWSWNE	24	6N	13E	WHEATLAND
2	10.00		S2NW	24	6N	13E	WHEATLAND
3	16.00		W2NWSE	24	6N	13E	WHEATLAND

4	<u>57.00</u>	SW	24	6N	13E	WHEATLAND
<b>Total:</b>	95.00					

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MUSSELSHELL RIVER, ABOVE ROUNDUP  
BASIN 40A**

**Water Right Number:** 40A 143325-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** GLENNIE RANCHES INC, THE  
% JANE GLENNIE, PRES  
PO BOX 207  
TWO DOT, MT 59085-0207

**Priority Date:** DECEMBER 31, 1950

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

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

**Source Name:** UNNAMED TRIBUTARY OF FISH 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		N2SW	33	6N	14E	WHEATLAND

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

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	N2SW	33	6N	14E	WHEATLAND

**Diversion to Reservoir:** DIVERSION # 1

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

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2SW	33	6N	14E	WHEATLAND

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MUSSELSHELL RIVER, ABOVE ROUNDUP  
BASIN 40A**

**Water Right Number:** 40A 143331-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** GLENNIE RANCHES INC, THE  
% JANE GLENNIE, PRES  
PO BOX 207  
TWO DOT, MT 59085-0207

**Priority Date:** OCTOBER 31, 1958

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

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

**Source Name:** UNNAMED TRIBUTARY OF LEBO CREEK

**Source Type:** SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESESE	5	7N	15E	WHEATLAND

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

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESESE	5	7N	15E	WHEATLAND

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 11.00 FEET

**Depth:** 8.00 FEET

**Surface Area:** 0.70 ACRES

**Capacity:** 2.24 ACRE-FEET

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

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2SE	5	7N	15E	WHEATLAND



**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MUSSELSHELL RIVER, ABOVE ROUNDUP  
BASIN 40A**

**Water Right Number:** 40A 143338-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** GLENNIE RANCHES INC, THE  
% JANE GLENNIE, PRES  
PO BOX 207  
TWO DOT, MT 59085-0207

**Priority Date:** DECEMBER 31, 1949

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

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

**Source Name:** MCVAY 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		SWNWSE	8	7N	15E	WHEATLAND

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

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWNWSE	8	7N	15E	WHEATLAND

**Diversion to Reservoir:** DIVERSION # 1

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

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNWSE	8	7N	15E	WHEATLAND
2			SENESEW	8	7N	15E	WHEATLAND

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MUSSELSHELL RIVER, ABOVE ROUNDUP  
BASIN 40A**

**Water Right Number:** 40A 143341-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** GLENNIE RANCHES INC, THE  
% JANE GLENNIE, PRES  
PO BOX 207  
TWO DOT, MT 59085-0207

**Priority Date:** OCTOBER 31, 1958

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

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

**Source Name:** UNNAMED TRIBUTARY OF LEBO 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		NESWSE	5	7N	15E	WHEATLAND

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

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESWSE	5	7N	15E	WHEATLAND

**Diversion to Reservoir:** DIVERSION # 1

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

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2SWSE	5	7N	15E	WHEATLAND

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MUSSELSHELL RIVER, ABOVE ROUNDUP  
BASIN 40A**

**Water Right Number:** 40A 143348-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** GLENNIE RANCHES INC, THE  
% JANE GLENNIE, PRES  
PO BOX 207  
TWO DOT, MT 59085-0207

**Priority Date:** DECEMBER 31, 1950

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

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

**Source Name:** UNNAMED TRIBUTARY OF FISH CREEK

**Source Type:** SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNE	13	5N	13E	SWEET GRASS

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

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESWNE	13	5N	13E	SWEET GRASS

**Diversion to Reservoir:** DIVERSION # 1

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

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESWNE	13	5N	13E	SWEET GRASS
2			NESENW	13	5N	13E	SWEET GRASS

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MUSSELSHELL RIVER, ABOVE ROUNDUP  
BASIN 40A**

**Water Right Number:** 40A 143358-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** GLENNIE RANCHES INC, THE  
% JANE GLENNIE, PRES  
PO BOX 207  
TWO DOT, MT 59085-0207

**Priority Date:** DECEMBER 31, 1950

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

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

**Source Name:** UNNAMED TRIBUTARY OF AMERICAN FORK

**Source Type:** SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNW	28	6N	14E	WHEATLAND

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

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWNW	28	6N	14E	WHEATLAND

**Diversion to Reservoir:** DIVERSION # 1

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

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNW	28	6N	14E	WHEATLAND

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MUSSELSHELL RIVER, ABOVE ROUNDUP  
BASIN 40A**

**Water Right Number:** 40A 143360-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** GLENNIE RANCHES INC, THE  
% JANE GLENNIE, PRES  
PO BOX 207  
TWO DOT, MT 59085-0207

**Priority Date:** JANUARY 1, 1940

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

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

**Source Name:** MCVAY 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		NWSESW	13	7N	14E	WHEATLAND

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

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWSESW	13	7N	14E	WHEATLAND

**Diversion to Reservoir:** DIVERSION # 1

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

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2SW	13	7N	14E	WHEATLAND

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MUSSELSHELL RIVER, ABOVE ROUNDUP  
BASIN 40A**

**Water Right Number:** 40A 143364-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** GLENNIE RANCHES INC, THE  
% JANE GLENNIE, PRES  
PO BOX 207  
TWO DOT, MT 59085-0207

**Priority Date:** JUNE 30, 1949

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

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

**Source Name:** UNNAMED TRIBUTARY OF AMERICAN FORK

**Source Type:** SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWNW	15	6N	14E	WHEATLAND

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

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SESWNW	15	6N	14E	WHEATLAND

**Diversion to Reservoir:** DIVERSION # 1

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

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2SWNW	15	6N	14E	WHEATLAND

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MUSSELSHELL RIVER, ABOVE ROUNDUP  
BASIN 40A**

**Water Right Number:** 40A 203779-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** GLENNIE RANCHES INC, THE  
% JANE GLENNIE, PRES  
PO BOX 207  
TWO DOT, MT 59085-0207

**Priority Date:** DECEMBER 31, 1941

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

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

**Source Name:** UNNAMED TRIBUTARY OF MUSSELSHELL 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		NWSWNW	7	7N	15E	WHEATLAND

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

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWSWNW	7	7N	15E	WHEATLAND

**Diversion to Reservoir:** DIVERSION # 1

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

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNW	7	7N	15E	WHEATLAND

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
MUSSELSHELL RIVER, ABOVE ROUNDUP  
BASIN 40A**

**Water Right Number:** 40A 203782-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** GLENNIE RANCHES INC, THE  
% JANE GLENNIE, PRES  
PO BOX 207  
TWO DOT, MT 59085-0207

**Priority Date:** AUGUST 25, 1884

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

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

**Source Name:** MCVAY CREEK

**Source Type:** SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESESE	7	7N	15E	WHEATLAND

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

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESESE	7	7N	15E	WHEATLAND

**Diversion to Reservoir:** DIVERSION # 1

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

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESE	7	7N	15E	WHEATLAND



**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**MUSSELSHELL RIVER, ABOVE ROUNDUP**  
**BASIN 40A**

**Water Right Number:** 40A 203783-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** GLENNIE RANCHES INC, THE  
% JANE GLENNIE, PRES  
PO BOX 207  
TWO DOT, MT 59085-0207

**Priority Date:** AUGUST 25, 1884

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

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

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

**Source Name:** LEBO 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	4	NW	2	6N	14E	WHEATLAND

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

**Diversion Means:** DITCH

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

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENE	7	7N	15E	WHEATLAND
2			NESE	7	7N	15E	WHEATLAND