

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

CLAIMANTS: Stacy Barnes; Gena G. Grund; Adam Molenda;
Amy Molenda; Aron Molenda; Brian
Molenda; Joseph L. Molenda; Matthew M.
Molenda; Todd Molenda; Denice C. Rust;
Paul Rust

CASE 41G-0541-R-2024
41G 95718-00

OBJECTORS: United States of America (Bureau of Land
Management)

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, conclusion 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. Claim 41G 95718-00 is a stock water right that appeared in the 41G Preliminary Decree. It received an objection from the United States Bureau of Land Management. It was originally consolidated in Case 41G-0532-R-2022.

2. During proceedings in Case 41G-0532-R-2022, the parties filed a Stipulation addressing claim 41G 95718-00, but outstanding issues remained with the other claim in the case. Accordingly, claim 41G 95718-00 was removed from case 41G 0532-R-2022 to be addressed in this case.

3. Claim 41G 95718-00 is co-owned by the following parties ("Claimants"):

- Denice C. Rust
- Gena G. Grund
- Joseph L. Molenda
- Matthew M. Molenda
- Paul Rust
- Stacy Barnes
- Adam Molenda
- Amy Molenda
- Aron Molenda
- Brian Molenda
- Todd Molenda

It is a livestock direct from source right from the Jefferson River in Sections 21 and 22 in T1N, R2W. The United States objected to the place of use/maximum acres and the point of diversion/means of diversion for claim 41G 95718-00.

4. On April 24, 2024, in Case 41G-0532-R-2022, the parties filed a Stipulation addressing the United States' objection to claim 41G 95718-00. The Stipulation is attached to this Master's Report.

5. In the Stipulation the parties agree that the point of diversion and place of use located in the NWSW of Section 22, T1N, R2W should be removed from claim 41G 95718-00.

CONCLUSIONS OF LAW

1. A properly filed claim of an existing right or an amended claim of existing 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. The claimant of a water right claim may waive the advantage of § 85-2-227, MCA by requesting a reduction or limitation of an element of a water right claim. The water court may accept a claimant's requested reduction or limitation without further presentation of evidence unless there is an unresolved issue remark on the claim. Rule 17(c), W.R.Adj.R. The requested removal of the place of use/point of diversion located in the NWSW of Section 22, T1N, R2W amounts to a reduction of the claim that may be accepted without further presentation of evidence.

3. Settlement agreements are subject to review and approval of the Water Court. Rule 17(a), W.R.Adj.R. The settlement documentation in this Case should be accepted by the Court.

RECOMMENDATION

1. Claim 41G 95718-00 should be modified as provided above.

A Post Decree Abstract of Water Right Claim is served with the Report to confirm that the recommended modifications have been made in the state's centralized record system.

ELECTRONICALLY SIGNED AND DATED BELOW.

Service via USPS Mail:

Matthew M. Molenda
PO Box 2
Whitehall, MT 59759-0002

Stacy Barnes
830 Corn Stalk Dr
Windsor, CO 80550

Gena G. Grund
PO Box 467
Boulder, MT 59632

Adam Molenda
615 Legend Loop Apt 213
Helena, MT 59602

Amy Molenda
201 2nd St NE
Cut Bank, MT 59427

Aron Molenda
4734 Baja Rd
Helena, MT 59602

Brian Molenda
8 King St
Cut Bank, MT 59427

Todd Molenda
160 US Highway 213 N
Cut Bank, MT 59427

Joseph L. Molenda
1912 Harvest Loop
East Helena, MT 59635

Denice C. Rust
PO Box 12
Cardwell, MT 59721

Paul Rust
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Dillon, MT 59725

Service Via Electronic Mail:

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Jennifer.Najjar@usdoj.gov
MontanaBasins.ENRD@USDOJ.GOV

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
JEFFERSON RIVER
BASIN 41G

Water Right Number: **41G 95718-00** STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

DENICE C RUST
PO BOX 12
CARDWELL, MT 59721

GENA G GRUND
PO BOX 467
BOULDER, MT 59632-0467

TODD MOLEND
160 US HIGHWAY 213 N
CUT BANK, MT 59427-9000

BRIAN MOLEND
8 KING ST
CUT BANK, MT 59427-9029

ARON MOLEND
4734 BAJA RD
HELENA, MT 59602-9668

AMY MOLEND
201 2ND ST NE
CUT BANK, MT 59427-2734

JOSEPH L MOLEND
1912 HARVEST LOOP
EAST HELENA, MT 59635-9414

MATTHEW M MOLEND
PO BOX 2
WHITEHALL, MT 59759-0002

PAUL RUST
204 E BANNACK ST
DILLON, MT 59725-2706

STACY BARNES
830 CORN STALK DR
WINDSOR, CO 80550-3425

ADAM MOLEND
615 LEGEND LOOP APT 213
HELENA, MT 59602-8642

Priority Date: DECEMBER 24, 1953

Type of Historical Right: FILED

Purpose (Use): STOCK

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

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

Source Name: JEFFERSON 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	3	NESW	21	1N	2W	JEFFERSON

Source Name: JEFFERSON RIVER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2	2	NWSE	21	1N	2W	JEFFERSON
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Source Name: JEFFERSON RIVER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

3	1	NESE	21	1N	2W	JEFFERSON
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Source Name: JEFFERSON RIVER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

4	2	NESW	22	1N	2W	JEFFERSON
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Source Name: JEFFERSON RIVER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

5	1	NWSE	22	1N	2W	JEFFERSON
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Source Name: JEFFERSON RIVER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

6	7	SESE	22	1N	2W	JEFFERSON
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Source Name: JEFFERSON RIVER

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		3	NESW	21	1N	2W	JEFFERSON
2		2	NWSE	21	1N	2W	JEFFERSON
3		1	NESE	21	1N	2W	JEFFERSON

4	2	NESW	22	1N	2W	JEFFERSON
5	7	SESE	22	1N	2W	JEFFERSON
6	1	NWSE	22	1N	2W	JEFFERSON

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.

95718-00 95723-00

TODD KIM, Assistant Attorney General
Environment & Natural Resources Division

ELECTRONICALLY FILED

JESSE LASLOVICH, United States Attorney
District of Montana

41G-0532-R-2022

April 24, 2024

JENNIFER A. NAJJAR, Trial Attorney
United States Department of Justice
Environment & Natural Resources Division
Natural Resources Section
P.O. Box 7611
Washington, D.C. 20044-7611
Telephone: (202) 305-0476

Montana Water Court

ATTORNEYS FOR UNITED STATES OF AMERICA,
Bureau of Land Management and Bureau of Reclamation

**IN THE WATER COURT OF THE STATE OF MONTANA
UPPER MISSOURI DIVISION
JEFFERSON RIVER – BASIN 41G
PRELIMINARY DECREE**

CLAIMANTS: Stacy Barnes; Gena G. Grund; Adam Molenda;
Amy Molenda; Aron Molenda; Brian Molenda;
Joe L. Molenda; Matthew M. Molenda; Todd
Molenda; James J. & Maxine L. Molenda
Living Trust; Denice C. Rust; Paul Rust

**CASE 41G-0532-R-2022
41G 95718-00
41G 95723-00
(in part)**

OBJECTORS: United States of America (Bureau of Land
Management); Gena G. Grund; James S.
Molenda; Joseph L. Molenda; Matthew M.
Molenda; James J. & Maxine L. Molenda
Decedent's Trust; James J. & Maxine L. Molenda
Survivor's Trust; Denice C. Rust; United States
of America (Bureau of Reclamation)

STIPULATION TO RESOLVE OBJECTIONS

This Stipulation, entered into by the United States of America, on behalf of the Bureau of Land Management and Bureau of Reclamation (collectively, the "United States"), and Claimants Denice C. Rust, Paul Rust, Gena G. Grund, Joe L. Molenda, Matthew M. Molenda, and the James J. & Maxine L. Molenda Living Trust (collectively, "Claimants"), is for the purpose of

resolving the United States' objection to Water Right Claim No. 41G 95718-00. The United States' objection to Water Right Claim No. 41G 95723-00 is not resolved by this Stipulation. This Stipulation does not affect the United States' objection to claim 41G 95723-00.

RECITALS

A. Pursuant to Mont. Code Ann. § 85-2-221, Claimants James and Maxine Molenda timely filed a Statement of Claim for claim 41G 95718-00 with the Department of Natural Resources and Conservation.

B. Pursuant to Mont. Code Ann. § 85-2-233, the United States timely filed a Notice of Objection to claim 41G 95718-00 as it appeared on the Preliminary Decree for Basin 41G.

C. As described on the Preliminary Decree for Basin 41G, claim 41G 95718-00 asserts a stockwater right on the Jefferson River. The legal land descriptions for the point of diversion and place of use are overbroad and inaccurately include federal land in Government Lot 4, NWSW Section 22, Township 1 North, Range 2 West. Clarification of the legal land description will more accurately reflect the water right as it existed prior to July 1, 1973.

D. In the interest of resolving the United States' objection to claim 41G 95718-00, Claimants and the United States stipulate to the modifications below.

STIPULATION

1. The Point of Diversion for claim 41G 95718-00 should be amended as follows:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3	NESW	21	1N	2W	JEFFERSON
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
2	2	NWSE	21	1N	2W	JEFFERSON
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
3	1	NESE	21	1N	2W	JEFFERSON
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
4	2	NESW	22	1N	2W	JEFFERSON
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
5	4	NWSW	22	1N	2W	JEFFERSON
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
6	1	SWSE	22	1N	2W	JEFFERSON
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
7	7	SESE	22	1N	2W	JEFFERSON
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						

2. The Place of Use for claim 41G 95718-00 should be amended as follows:

<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	NESW	21	1N	2W	JEFFERSON
2		2	NWSE	21	1N	2W	JEFFERSON
3		1	NESE	21	1N	2W	JEFFERSON
4		2	NESW	22	1N	2W	JEFFERSON
5		7	SESE	22	1N	2W	JEFFERSON
6		1	NWSE	22	1N	2W	JEFFERSON
7		4	NWNW	22	1N	2W	JEFFERSON

3. The proposed abstract attached as **Exhibit 1** to this Stipulation accurately reflects the modifications stipulated above.

4. Upon entry of a ruling and final order in this case reflecting the amendments specified above for claim 41G 95718-00, the United States' objections to claim 41G 95718-00 shall be deemed resolved, provided that such order(s) do not expand or change other substantive elements of the claim.

5. This Stipulation is the compromise of disputed water claims and is not to be construed as an admission against the interests of any party.

6. The terms of this Stipulation are binding on the parties, their successors, and assignees. Nothing in this Stipulation shall create any right, claim, cause of action, objection, defense, or other remedy in any person not a party to the Stipulation.

7. Each party will bear its own costs and attorney fees arising from the negotiation and execution of the Stipulation and in proceedings before the Montana Water Court regarding this case.

8. Each undersigned party entered into and executed this Stipulation voluntarily, in good faith, and without any fraud, misunderstanding, misrepresentation, overreaching, duress, or undue influence, whatsoever.

9. The parties hereto represent and affirm that the signatories to this Stipulation are legally authorized to bind the party to this matter.

10. This Stipulation may be executed by the parties in counterparts, each of which when executed and filed with the Montana Water Court shall be an original, but all of which together shall constitute one instrument.

11. This document (¶¶ 1-11) embodies the entire Stipulation of the parties.

IT IS SO STIPULATED on the date last entered below:

TODD KIM, Assistant Attorney General
Environment & Natural Resources Division

JESSE LASLOVICH, United States Attorney
District of Montana

Dated: April 23, 2024

/s/ Jennifer A. Najjar
JENNIFER A. NAJJAR, Trial Attorney
Jennifer.Najjar@usdoj.gov | (202) 305-0476
United States Department of Justice
Environment & Natural Resources Division
Natural Resources Section
P.O. Box 7611
Washington, D.C. 20044-7611
Electronic Service: MontanaBasins.ENRD@usdoj.gov

ATTORNEYS FOR UNITED STATES OF AMERICA,
Bureau of Land Management; Bureau of Reclamation

Dated: _____, 2024

Matthew M. Molenda
P.O. Box 2
Whitehall, MT 59759-0002

Dated: _____, 2024

Jack G. Connors
Doney Crowley P.C.
PO Box 1185
Helena, MT 59624

*Attorney for Stacy Barnes; Gena G. Grund; Adam
Molenda; Amy Molenda; Aron Molenda; Brian
Molenda; Joe L. Molenda; Todd Molenda; James J.
& Maxine L. Molenda Living Trust; Denise C. Rust;
Paul Rust*

IT IS SO STIPULATED on the date last entered below:

TODD KIM, Assistant Attorney General
Environment & Natural Resources Division

JESSE LASLOVICH, United States Attorney
District of Montana

Dated: _____, 2024

/s/

JENNIFER A. NAJJAR, Trial Attorney
Jennifer.Najjar@usdoj.gov | (202) 305-0476
United States Department of Justice
Environment & Natural Resources Division
Natural Resources Section
P.O. Box 7611
Washington, D.C. 20044-7611
Electronic Service: MontanaBasins.ENRD@usdoj.gov

ATTORNEYS FOR UNITED STATES OF AMERICA,
Bureau of Land Management; Bureau of Reclamation

Dated: April 23, _____, 2024



Matthew M. Molenda
P.O. Box 2
Whitehall, MT 59759-0002

Dated: April 23, 2024 _____, 2024

/s/ Jack G. Connors

Jack G. Connors
Doney Crowley P.C.
PO Box 1185
Helena, MT 59624

*Attorney for Stacy Barnes; Gena G. Grund; Adam
Molenda; Amy Molenda; Aron Molenda; Brian
Molenda; Joe L. Molenda; Todd Molenda; James J.
& Maxine L. Molenda Living Trust; Denice C. Rust;
Paul Rust*

Exhibit 1

PROPOSED
PRELIMINARY DECREE
JEFFERSON RIVER
BASIN 41G
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE

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

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

Water Right Number: **41G 95718-00** STATEMENT OF CLAIM

Version: 2 -- REEXAMINED

Status: ACTIVE

Owners:

DENICE C RUST
204 E BANNACK ST
DILLON, MT 59725 2706

JOE L MOLEND
1912 HARVEST LOOP
EAST HELENA, MT 59635

PAUL RUST
204 E BANNACK ST
DILLON, MT 59725 2706

GENA G GRUND
PO BOX 467
BOULDER, MT 59632 0467

MOLEND, JAMES J & MAXINE L LIVING TRUST
DENICE C & PAUL F RUST, TRUSTEES
204 E BANNACK ST
DILLON, MT 59725 2706

MATTHEW M MOLEND
PO BOX 21156
MINNEAPOLIS, MN 55421 0156

Priority Date: DECEMBER 24, 1953

Type of Historical Right: FILED

Purpose(use): STOCK

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

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

Source Name: JEFFERSON 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	3	NESW	21	1N	2W	JEFFERSON
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
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Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
5	4	NWSW	22	1N	2W	JEFFERSON
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
6	1	NWSE	22	1N	2W	JEFFERSON
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
7	7	SESE	22	1N	2W	JEFFERSON
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		3	NESW	21	1N	2W	JEFFERSON
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3		1	NESE	21	1N	2W	JEFFERSON
4		2	NESW	22	1N	2W	JEFFERSON
5		7	SESE	22	1N	2W	JEFFERSON
6		1	NWSE	22	1N	2W	JEFFERSON
7		4	NWSW	22	1N	2W	JEFFERSON

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.

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

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

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

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

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

CERTIFICATE OF SERVICE

I hereby certify that on April 24, 2024, I sent a true and correct copy of the foregoing document to the following parties:

Service via USPS Mail:

Matthew M. Molenda
PO Box 2
Whitehall, MT 59759-0002

James S. Molenda
PO Box 1367
Cut Bank, MT 59427-1367

Service via Electronic Mail:

Jack G. Connors
Doney Crowley P.C.
PO Box 1185
Helena, MT 59624
(406) 443-2211
jpapez@doneylaw.com
legalsec@doneylaw.com
jconnors@doneylaw.com

/s/ Jessica S. Pannett
Jessica S. Pannett, Law Clerk