

Montana Water Court
PO Box 1389
Bozeman, MT 59771-1389
1-800-624-3270
(406) 586-4364
watercourt@mt.gov

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

CLAIMANT: Sun River Valley Ditch Co.

OBJECTORS: Sun River Valley Ditch Co.

NOTICE OF INTENT TO APPEAR: Broken O Land
Livestock, LLC

CASE 41K-0060-R-2023

41K 210509-00
41K 210510-00
41K 210511-00
41K 210513-00
41K 210514-00
41K 210515-00
41K 210516-00

ORDER AMENDING AND ADOPTING MASTER’S REPORT

Pursuant to Montana Code Annotated, § 85-2-233(5), the above entitled case was assigned to Senior Water Master Nathan Block. The Water Master filed a report containing Findings of Fact and Conclusions of Law with the Clerk of Court. A copy of the report was served upon the parties on September 24, 2024. On September 30, 2024, the Sun River Valley Ditch Co. (“SRVDC”) filed an objection to the Report requesting that the abstract for claim 41K 210514-00 be corrected to describe place of use ID no. 27 as being in the N2 of Section 31, T21N R1E. Additionally, the objection seeks to correct claim 41K 210515-00 to reflect the Maximum Acres as being 10,050.00 acres.

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

ELECTRONICALLY SIGNED AND DATED BELOW.

Service via Electronic Mail:

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**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM**

**SUN RIVER
BASIN 41K**

Water Right Number: 41K 210509-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: SUN RIVER VALLEY DITCH CO
PO BOX 463
VAUGHN, MT 59487-0463

THIS IS A TOTAL RECORD FOR AN IRRIGATION DISTRICT CLAIM FORM.

Priority Date: MAY 1, 1868

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: SUN 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		SESENW	32	21N	1W	CASCADE

Period of Diversion: APRIL 1 TO DECEMBER 31

Diversion Means: HEADGATE

Ditch Name: SUN RIVER VALLEY DITCH

Period of Use: APRIL 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			SW	15	21N	1E	CASCADE
2			S2	20	21N	1E	CASCADE
3				21	21N	1E	CASCADE
4				22	21N	1E	CASCADE
5			N2	23	21N	1E	CASCADE
6			NW	24	21N	1E	CASCADE
7				25	21N	1E	CASCADE
8			N2	27	21N	1E	CASCADE
9			W2	29	21N	1E	CASCADE
10			N2	30	21N	1E	CASCADE
11				25	21N	1W	CASCADE

12	S2	26	21N	1W	CASCADE
13	S2	27	21N	1W	CASCADE
14	S2	28	21N	1W	CASCADE
15	NE	32	21N	1W	CASCADE
16	NW	33	21N	1W	CASCADE

PLACE OF USE ALSO INCLUDES DITCHES AND LATERALS NOT LISTED ABOVE.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM**

**SUN RIVER
BASIN 41K**

Water Right Number: 41K 210510-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: SUN RIVER VALLEY DITCH CO
PO BOX 463
VAUGHN, MT 59487-0463

THIS IS A TOTAL RECORD FOR AN IRRIGATION DISTRICT CLAIM FORM.

Priority Date: APRIL 20, 1892

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: MILL COULEE 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		SWNWSW	26	21N	1W	CASCADE

Period of Diversion: APRIL 1 TO DECEMBER 1

Diversion Means: HEADGATE

Ditch Name: SUN RIVER VALLEY DITCH

Period of Use: APRIL 1 TO DECEMBER 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			SW	15	21N	1E	CASCADE
2			S2	20	21N	1E	CASCADE
3				21	21N	1E	CASCADE
4				22	21N	1E	CASCADE
5			N2	23	21N	1E	CASCADE
6			NW	24	21N	1E	CASCADE
7				25	21N	1E	CASCADE
8			N2	27	21N	1E	CASCADE
9			W2	29	21N	1E	CASCADE
10			N2	30	21N	1E	CASCADE
11				25	21N	1W	CASCADE

12

S2 26 21N 1W CASCADE

PLACE OF USE ALSO INCLUDES DITCHES AND LATERALS NOT LISTED ABOVE.

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

Water Right Number: 41K 210511-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: SUN RIVER VALLEY DITCH CO
PO BOX 463
VAUGHN, MT 59487-0463

THIS IS A TOTAL RECORD FOR AN IRRIGATION DISTRICT CLAIM FORM.

***Priority Date:** JANUARY 1, 1921

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD/FURROW

Flow Rate: 60.00 CFS

COMBINED FLOW RATE FOR FILES NO. 41K 210511-00, 41K 210513-00, 41K 210514-00, 41K 210515-00 AND 41K 210516-00 IS LIMITED TO THE HISTORIC CAPACITY OF THE DIVERSION STRUCTURES AND CONVEYANCE SYSTEM.

***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: 8,730.00

Source Name: MILL COULEE 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		SWNWSW	26	21N	1W	CASCADE

Period of Diversion: APRIL 15 TO DECEMBER 1

Diversion Means: HEADGATE

Ditch Name: SUN RIVER VALLEY DITCH

Period of Use: APRIL 15 TO DECEMBER 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	640.00			20	21N	1E	CASCADE
2	160.00		S2N2	21	21N	1E	CASCADE
3	320.00		S2	21	21N	1E	CASCADE
4	160.00		S2N2	22	21N	1E	CASCADE
5	320.00		S2	22	21N	1E	CASCADE
6	640.00			23	21N	1E	CASCADE
7	80.00		E2SE	24	21N	1E	CASCADE
8	320.00		W2	24	21N	1E	CASCADE
9	640.00			25	21N	1E	CASCADE

10	320.00	E2	26	21N	1E	CASCADE
11	160.00	NW	26	21N	1E	CASCADE
12	320.00	N2	27	21N	1E	CASCADE
13	40.00	NWSW	27	21N	1E	CASCADE
14	320.00	N2	28	21N	1E	CASCADE
15	80.00	N2SE	28	21N	1E	CASCADE
16	40.00	SWSE	28	21N	1E	CASCADE
17	160.00	SW	28	21N	1E	CASCADE
18	640.00		29	21N	1E	CASCADE
19	640.00		30	21N	1E	CASCADE
20	320.00	N2	31	21N	1E	CASCADE
21	80.00	N2NE	32	21N	1E	CASCADE
22	160.00	S2N2	25	21N	1W	CASCADE
23	320.00	S2	25	21N	1W	CASCADE
24	320.00	S2	26	21N	1W	CASCADE
25	320.00	N2	36	21N	1W	CASCADE
26	320.00	N2	35	21N	1W	CASCADE
27	160.00	N2S2	35	21N	1W	CASCADE
28	160.00	N2S2	36	21N	1W	CASCADE
29	160.00	SW	13	21N	1E	CASCADE
30	160.00	SE	14	21N	1E	CASCADE
31	80.00	S2SW	19	21N	1E	CASCADE
32	160.00	SE	19	21N	1E	CASCADE
33	10.00	NWNWNW	33	21N	1E	CASCADE

Total: 8730.00

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

TWP RGE SECTIONS

21N 1W 35, 36

21N 1E 25, 26, 27, 28, 29, 21, 32, 33

THIS WATER RIGHT IS LIMITED TO IRRIGATION OF 2,392.00 ACRES WITHIN THE TOTAL PLACE OF USE IN ANY IRRIGATION SEASON. SEE CLAIM FILE OR WATER COURT CASE 41K 271-00 FILE FOR MORE INFORMATION.

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.

210511-00 210513-00 210514-00 210515-00 210516-00

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME PLACE OF USE.

10557-00 210511-00 210513-00 210514-00 210515-00 210516-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM**

**SUN RIVER
BASIN 41K**

Water Right Number: 41K 210513-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: SUN RIVER VALLEY DITCH CO
PO BOX 463
VAUGHN, MT 59487-0463

Priority Date: MAY 1, 1868

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 46.00 CFS

COMBINED FLOW RATE FOR FILES NO. 41K 210511-00, 41K 210513-00, 41K 210514-00, 41K 210515-00 AND 41K 210516-00 IS LIMITED TO THE HISTORIC CAPACITY OF THE DIVERSION STRUCTURES AND CONVEYANCE SYSTEM.

***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: 10,050.00

Source Name: SUN 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		SESENW	32	21N	1W	CASCADE

Period of Diversion: APRIL 15 TO DECEMBER 1

Diversion Means: HEADGATE

Ditch Name: SUN RIVER VALLEY DITCH

Period of Use: APRIL 15 TO DECEMBER 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	160.00		SW	13	21N	1E	CASCADE
2	160.00		SE	14	21N	1E	CASCADE
3	160.00		SE	19	21N	1E	CASCADE
4	80.00		S2SW	19	21N	1E	CASCADE
5	640.00			20	21N	1E	CASCADE
6	160.00		S2N2	21	21N	1E	CASCADE
7	320.00		S2	21	21N	1E	CASCADE
8	160.00		S2N2	22	21N	1E	CASCADE
9	320.00		S2	22	21N	1E	CASCADE
10	640.00			23	21N	1E	CASCADE

11	80.00	E2SE	24	21N	1E	CASCADE
12	320.00	W2	24	21N	1E	CASCADE
13	640.00		25	21N	1E	CASCADE
14	320.00	E2	26	21N	1E	CASCADE
15	160.00	NW	26	21N	1E	CASCADE
16	320.00	N2	27	21N	1E	CASCADE
17	40.00	NWSW	27	21N	1E	CASCADE
18	320.00	N2	28	21N	1E	CASCADE
19	80.00	N2SE	28	21N	1E	CASCADE
20	40.00	SWSE	28	21N	1E	CASCADE
21	160.00	SW	28	21N	1E	CASCADE
22	640.00		29	21N	1E	CASCADE
23	640.00		30	21N	1E	CASCADE
24	320.00	N2	31	21N	1E	CASCADE
25	80.00	N2NE	32	21N	1E	CASCADE
26	10.00	NWNWNW	33	21N	1E	CASCADE
27	160.00	S2N2	25	21N	1W	CASCADE
28	320.00	S2	25	21N	1W	CASCADE
29	320.00	S2	26	21N	1W	CASCADE
30	320.00	S2	27	21N	1W	CASCADE
31	80.00	S2SE	28	21N	1W	CASCADE
32	40.00	SESW	28	21N	1W	CASCADE
33	320.00	N2	33	21N	1W	CASCADE
34	80.00	N2SE	32	21N	1W	CASCADE
35	160.00	N2N2	34	21N	1W	CASCADE
36	80.00	SWNE	34	21N	1W	CASCADE
37	80.00	NESE	34	21N	1W	CASCADE
38	320.00	N2	35	21N	1W	CASCADE
39	160.00	N2S2	35	21N	1W	CASCADE
40	320.00	N2	36	21N	1W	CASCADE
41	160.00	N2S2	36	21N	1W	CASCADE
42	160.00	NE	32	21N	1W	CASCADE

Total: 10050.00

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

TWP RGE SECTIONS

21N 1W 33, 34, 35, 36

21N 1E 25, 26, 27, 28, 29, 21, 32, 33

THIS WATER RIGHT IS LIMITED TO IRRIGATION OF 3,708.00 ACRES WITHIN THE TOTAL PLACE OF USE IN ANY IRRIGATION SEASON. SEE CLAIM FILE OR WATER COURT CASE 41K-271-00 FILE FOR MORE INFORMATION.

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.

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME PLACE OF USE.

10557-00

210511-00

210513-00

210514-00

210515-00

210516-00

PARENT FILE FOR THIS FILE IS "Z" FILE 41K 210512-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM**

**SUN RIVER
BASIN 41K**

Water Right Number: 41K 210514-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: SUN RIVER VALLEY DITCH CO
PO BOX 463
VAUGHN, MT 59487-0463

Priority Date: MAY 1, 1902

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 17.00 CFS

COMBINED FLOW RATE FOR FILES NO. 41K 210511-00, 41K 210513-00, 41K 210514-00, 41K 210515-00 AND 41K 210516-00 IS LIMITED TO THE HISTORIC CAPACITY OF THE DIVERSION STRUCTURES AND CONVEYANCE SYSTEM.

***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: 10,050.00

Source Name: SUN 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		SESENW	32	21N	1W	CASCADE

Period of Diversion: APRIL 15 TO DECEMBER 1

Diversion Means: HEADGATE

Ditch Name: SUN RIVER VALLEY DITCH

Period of Use: APRIL 15 TO DECEMBER 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	640.00			20	21N	1E	CASCADE
2	160.00		S2N2	21	21N	1E	CASCADE
3	320.00		S2	21	21N	1E	CASCADE
4	160.00		S2N2	22	21N	1E	CASCADE
5	320.00		S2	22	21N	1E	CASCADE
6	640.00			23	21N	1E	CASCADE
7	80.00		E2SE	24	21N	1E	CASCADE
8	320.00		W2	24	21N	1E	CASCADE
9	640.00			25	21N	1E	CASCADE
10	320.00		E2	26	21N	1E	CASCADE

11	160.00	NW	26	21N	1E	CASCADE
12	320.00	N2	27	21N	1E	CASCADE
13	40.00	NWSW	27	21N	1E	CASCADE
14	320.00	N2	28	21N	1E	CASCADE
15	80.00	N2SE	28	21N	1E	CASCADE
16	40.00	SWSE	28	21N	1E	CASCADE
17	160.00	SW	28	21N	1E	CASCADE
18	640.00		29	21N	1E	CASCADE
19	640.00		30	21N	1E	CASCADE
20	80.00	N2NE	32	21N	1E	CASCADE
21	160.00	S2N2	25	21N	1W	CASCADE
22	320.00	S2	25	21N	1W	CASCADE
23	320.00	S2	26	21N	1W	CASCADE
24	320.00	S2	27	21N	1W	CASCADE
25	80.00	S2SE	28	21N	1W	CASCADE
26	40.00	SESW	28	21N	1W	CASCADE
27	320.00	N2	31	21N	1E	CASCADE
28	320.00	N2	33	21N	1W	CASCADE
29	160.00	N2N2	34	21N	1W	CASCADE
30	320.00	N2	35	21N	1W	CASCADE
31	160.00	N2S2	35	21N	1W	CASCADE
32	320.00	N2	36	21N	1W	CASCADE
33	160.00	N2S2	36	21N	1W	CASCADE
34	160.00	NE	32	21N	1W	CASCADE
35	80.00	N2SE	32	21N	1W	CASCADE
36	80.00	SWNE	34	21N	1W	CASCADE
37	80.00	NESE	34	21N	1W	CASCADE
38	160.00	SW	13	21N	1E	CASCADE
39	160.00	SE	14	21N	1E	CASCADE
40	80.00	S2SW	19	21N	1E	CASCADE
41	160.00	SE	19	21N	1E	CASCADE
42	10.00	NWNWNW	33	21N	1E	CASCADE
Total:						10050.00

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

TWP RGE SECTIONS
21N 1W 33, 34, 35, 36
21N 1E 25, 26, 27, 28, 29, 21, 32, 33

THIS WATER RIGHT IS LIMITED TO IRRIGATION OF 3,708.00 ACRES WITHIN THE TOTAL PLACE OF USE IN ANY IRRIGATION SEASON. SEE CLAIM FILE OR WATER COURT CASE 41K-271-00 FILE FOR MORE INFORMATION.

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.

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME PLACE OF USE.

10557-00

210511-00

210513-00

210514-00

210515-00

210516-00

ALL DOCUMENTATION AND MAPS CAN BE OBTAINED BY REVIEWING THE FILE FOR CLAIM NUMBER 41K 210513-00.

PARENT FILE FOR THIS FILE IS "Z" FILE 41K 210512-00.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM**

**SUN RIVER
BASIN 41K**

Water Right Number: 41K 210515-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: SUN RIVER VALLEY DITCH CO
PO BOX 463
VAUGHN, MT 59487-0463

Priority Date: MARCH 1, 1933

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 12.00 CFS

COMBINED FLOW RATE FOR FILES NO. 41K 210511-00, 41K 210513-00, 41K 210514-00, 41K 210515-00 AND 41K 210516-00 IS LIMITED TO THE HISTORIC CAPACITY OF THE DIVERSION STRUCTURES AND CONVEYANCE SYSTEM.

***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: 10,050.00

Source Name: SUN 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		SESENW	32	21N	1W	CASCADE

Period of Diversion: APRIL 15 TO DECEMBER 1

Diversion Means: HEADGATE

Ditch Name: SUN RIVER VALLEY DITCH

Period of Use: APRIL 15 TO DECEMBER 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	160.00		SW	13	21N	1E	CASCADE
2	160.00		SE	14	21N	1E	CASCADE
3	160.00		SE	19	21N	1E	CASCADE
4	80.00		S2SW	19	21N	1E	CASCADE
5	640.00			20	21N	1E	CASCADE
6	160.00		S2N2	21	21N	1E	CASCADE
7	320.00		S2	21	21N	1E	CASCADE
8	160.00		S2N2	22	21N	1E	CASCADE
9	320.00		S2	22	21N	1E	CASCADE
10	640.00			23	21N	1E	CASCADE

11	80.00	E2SE	24	21N	1E	CASCADE
12	320.00	W2	24	21N	1E	CASCADE
13	640.00		25	21N	1E	CASCADE
14	320.00	E2	26	21N	1E	CASCADE
15	160.00	NW	26	21N	1E	CASCADE
16	320.00	N2	27	21N	1E	CASCADE
17	40.00	NWSW	27	21N	1E	CASCADE
18	320.00	N2	28	21N	1E	CASCADE
19	80.00	N2SE	28	21N	1E	CASCADE
20	40.00	SWSE	28	21N	1E	CASCADE
21	160.00	SW	28	21N	1E	CASCADE
22	640.00		29	21N	1E	CASCADE
23	640.00		30	21N	1E	CASCADE
24	320.00	N2	31	21N	1E	CASCADE
25	80.00	N2NE	32	21N	1E	CASCADE
26	10.00	NWNWNW	33	21N	1E	CASCADE
27	160.00	S2N2	25	21N	1W	CASCADE
28	320.00	S2	25	21N	1W	CASCADE
29	320.00	S2	26	21N	1W	CASCADE
30	320.00	S2	27	21N	1W	CASCADE
31	80.00	S2SE	28	21N	1W	CASCADE
32	40.00	SESW	28	21N	1W	CASCADE
33	160.00	NE	32	21N	1W	CASCADE
34	80.00	N2SE	32	21N	1W	CASCADE
35	320.00	N2	33	21N	1W	CASCADE
36	160.00	N2N2	34	21N	1W	CASCADE
37	80.00	SWNE	34	21N	1W	CASCADE
38	80.00	NESE	34	21N	1W	CASCADE
39	320.00	N2	35	21N	1W	CASCADE
40	160.00	N2S2	35	21N	1W	CASCADE
41	320.00	N2	36	21N	1W	CASCADE
42	160.00	N2S2	36	21N	1W	CASCADE
Total:						10050.00

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

TWP RGE SECTIONS

21N 1W 33, 34, 35, 36

21N 1E 25, 26, 27, 28, 29, 21, 32, 33

THIS WATER RIGHT IS LIMITED TO IRRIGATION OF 6,100.00 ACRES WITHIN THE PLACE OF USE IN ANY IRRIGATION SEASON. SEE CLAIM FILE OR WATER COURT CASE 41K-271-00 FILE FOR MORE INFORMATION.

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.

210511-00

210513-00

210514-00

210515-00

210516-00

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME PLACE OF USE.

10557-00

210511-00

210513-00

210514-00

210515-00

210516-00

ALL DOCUMENTATION AND MAPS CAN BE OBTAINED BY REVIEWING THE FILE FOR CLAIM NUMBER 41K 210513-00.

PARENT FILE FOR THIS FILE IS 41K 210512-00.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM**

**SUN RIVER
BASIN 41K**

Water Right Number: 41K 210516-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: SUN RIVER VALLEY DITCH CO
PO BOX 463
VAUGHN, MT 59487-0463

Priority Date: MARCH 1, 1946

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 65.00 CFS

COMBINED FLOW RATE FOR FILES NO. 41K 210511-00, 41K 210513-00, 41K 210514-00, 41K 210515-00 AND 41K 210516-00 IS LIMITED TO THE HISTORIC CAPACITY OF THE DIVERSION STRUCTURES AND CONVEYANCE SYSTEM.

***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: 10,050.00

Source Name: SUN 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		SESENW	32	21N	1W	CASCADE

Period of Diversion: APRIL 15 TO DECEMBER 1

Diversion Means: HEADGATE

Ditch Name: SUN RIVER VALLEY DITCH

Period of Use: APRIL 15 TO DECEMBER 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	640.00			20	21N	1E	CASCADE
2	160.00		S2N2	21	21N	1E	CASCADE
3	320.00		S2	21	21N	1E	CASCADE
4	160.00		S2N2	22	21N	1E	CASCADE
5	320.00		S2	22	21N	1E	CASCADE
6	640.00			23	21N	1E	CASCADE
7	80.00		E2SE	24	21N	1E	CASCADE
8	320.00		W2	24	21N	1E	CASCADE
9	640.00			25	21N	1E	CASCADE
10	320.00		E2	26	21N	1E	CASCADE

11	160.00	NW	26	21N	1E	CASCADE
12	320.00	N2	27	21N	1E	CASCADE
13	40.00	NWSW	27	21N	1E	CASCADE
14	320.00	N2	28	21N	1E	CASCADE
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27	40.00	SESW	28	21N	1W	CASCADE
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29	160.00	N2N2	34	21N	1W	CASCADE
30	320.00	N2	35	21N	1W	CASCADE
31	160.00	N2S2	35	21N	1W	CASCADE
32	320.00	N2	36	21N	1W	CASCADE
33	160.00	N2S2	36	21N	1W	CASCADE
34	160.00	NE	32	21N	1W	CASCADE
35	80.00	N2SE	32	21N	1W	CASCADE
36	80.00	SWNE	34	21N	1W	CASCADE
37	80.00	NESE	34	21N	1W	CASCADE
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41	160.00	SE	19	21N	1E	CASCADE
42	10.00	NWNWNW	33	21N	1E	CASCADE

Total: 10050.00

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210513-00

210514-00

210515-00

210516-00

ALL DOCUMENTATION AND MAPS CAN BE OBTAINED BY REVIEWING THE FILE FOR CLAIM NUMBER 41K 210513-00.

PARENT FILE FOR THIS FILE IS "Z" FILE 41K 210512-00.