

Montana Water Court  
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MONTANA WATER COURT  
YELLOWSTONE DIVISION  
TONGUE RIVER BELOW HANGING WOMAN CREEK  
BASIN 42C  
INTERLOCUTORY DECREE

\* \* \* \* \*

CLAIMANT: Hagen Ranch LLC

**CASE 42C-0027-I-2024**

OBJECTOR: United States of America  
(USDA Forest Service)

42C 30108330	42C 30108338	42C 30108353
42C 30108331	42C 30108339	42C 30108354
42C 30108332	42C 30108340	42C 30108355
42C 30108334	42C 30108346	42C 30108356
42C 30108335	42C 30108347	42C 30108357
42C 30108336	42C 30108349	42C 30108358
42C 30108337	42C 30108351	

**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 to be added to the 10-day objection period. Rule 6(d), M.R.Civ.P. If you file an objection, you must mail 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 United States of America (USDA Forest Service) objected to each of these claims. Claim 42C 30108337 also has an issue remark concerning the means of diversion. On July 1, 2025 the parties filed a Stipulation To Resolve Objections for most of the claims in this Case. On July 11, 2025 the parties filed a second Stipulation To Resolve Objections for the remaining claims in this Case plus claims in Case 42C-0040-I-2024. The stipulations are viewable in the Court's FullCourt Enterprise case management system (Document numbers 8 and 11).

### APPLICABLE LAW

"All issue remarks to claims that are not resolved through the filing of an objection as provided in 85-2-233 must be resolved as provided in this section." Section 85-2-248(2), MCA.

The Montana Water Court has jurisdiction to review a motion to amend pursuant to section 85-2-233(6), MCA.

Rule 15 M.R.Civ.P. restricts the scope of the amendments to the conduct, transaction, or occurrence set forth in the original pleading or, in other words, the "same set of operative facts as contained in the original pleading." *Sooy v. Petrolane Steel Gas, Inc.*, 218 Mont. 418, 422-423 (1985). The requested amendment "merely makes more specific that which has already been alleged." *Prentice Lumber Company v. Hukill*, 161 Mont. 8, 15 (1972).

Notice must be published by newspaper if the requested amendments "may adversely affect other water rights." Section 85-2-233(6)(a)(i), MCA.

A properly filed Statement of Claim for Existing Water Right is prima facie proof of its content pursuant to section 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 including for claimants objecting to their own claims. Rule 19, W.R.Adj.R.

### FINDINGS OF FACT

1. Each of these claims appeared in the Interlocutory Decree with the following notice remark:

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 42C DECREE ISSUED 02/28/2008.

This remark should be removed from each abstract as having served its notice purpose.

2. The element changes requested in the Stipulations include elements which were not at issue by objection or issue remark. These requests are deemed the claimant's motions to amend each of those claims. In all instances, the changes requested in the motions to amend arise out of the same conduct, transaction, or occurrence specified on each original Statement of Claim, are based on the same operative facts specified in each Statement of Claim, and merely make more specific that which was already claimed on the original Statement of Claim.

3. For claim 42C 30108330, the Interlocutory Decree states that the flow rate is 2.00 GPM. The flow rate quantification should be removed and the following standard livestock direct from source flow rate remark should be added: 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.

The Interlocutory Decree states that the source type is GROUNDWATER. The source type should be SURFACE WATER. The following clarification remark should be added: SOURCE ALSO KNOWN AS BOG DRAW SPRING.

The Interlocutory Decree states that the means of diversion is DEVELOPED SPRING. The means of diversion should be LIVESTOCK DIRECT FROM SOURCE.

The following remark should be added to the abstract of this claim noting the amendment: THE FLOW RATE, SOURCE TYPE, SOURCE NAME, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

4. For claim 42C 30108331, the Interlocutory Decree states that the flow rate is 3.00 GPM. The flow rate quantification should be removed and the following standard livestock direct from source flow rate remark should be added: 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.

The Interlocutory Decree states that the source type is GROUNDWATER. The source type should be SURFACE WATER. The following clarification remark should be added: SOURCE ALSO KNOWN AS GERTRUDE SPRING.

The Interlocutory Decree states that the means of diversion is DEVELOPED SPRING. The means of diversion should be LIVESTOCK DIRECT FROM SOURCE.

The following remark should be added to the abstract of this claim noting the amendment: THE FLOW RATE, SOURCE TYPE, SOURCE NAME, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

5. For claim 42C 30108332, the Interlocutory Decree states that the flow rate is 2.00 GPM. The flow rate quantification should be removed and the following standard livestock direct from source flow rate remark should be added: 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.

The Interlocutory Decree states that the source name is SPRING, UNNAMED TRIBUTARY OF FIRST CREEK and the source type is GROUNDWATER. The source name should be FIRST CREEK SPRING and the source type should be SURFACE WATER.

The Interlocutory Decree states that the means of diversion is DEVELOPED SPRING. The means of diversion should be LIVESTOCK DIRECT FROM SOURCE.

The second Stipulation requests the addition of a clarification remark which includes the word "associated". "Associated rights" is a specific term used to identify rights using the same diversion structure and not applicable in this instance. The following revised version of the requested remark should be added: THIS WATER RIGHT AND WATER RIGHT NO. 42C 30144809 ARE BASED ON THE SAME HISTORICAL WATER RIGHT.

The following remark should be added to the abstract of this claim noting the amendment: THE FLOW RATE, SOURCE TYPE, SOURCE NAME, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

6. For claim 42C 30108334, the Interlocutory Decree states that the flow rate is 2.50 GPM. The flow rate quantification should be removed and the following standard livestock direct from source flow rate remark should be added: 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.

The Interlocutory Decree states that the source type is GROUNDWATER. The source type should be SURFACE WATER.

The Interlocutory Decree states that the means of diversion is DEVELOPED SPRING. The

means of diversion should be LIVESTOCK DIRECT FROM SOURCE.

The second Stipulation requests the addition of a clarification remark which includes the word “associated”. “Associated rights” is a specific term used to identify rights using the same diversion structure and not applicable in this instance. The following revised version of the requested remark should be added: THIS WATER RIGHT AND WATER RIGHT NO. 42C 30144805 ARE BASED ON THE SAME HISTORICAL WATER RIGHT.

The following remark should be added to the abstract of this claim noting the amendment: THE FLOW RATE, SOURCE TYPE, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

7. For claim 42C 30108335, the Interlocutory Decree states that the flow rate is 4.00 GPM. The flow rate quantification should be removed and the following standard livestock direct from source flow rate remark should be added: 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.

The Interlocutory Decree states that the source type is GROUNDWATER. The source type should be SURFACE WATER.

The Interlocutory Decree states that the means of diversion is DEVELOPED SPRING. The means of diversion should be LIVESTOCK DIRECT FROM SOURCE.

The second Stipulation requests the addition of a clarification remark which includes the word “associated”. “Associated rights” is a specific term used to identify rights using the same diversion structure and not applicable in this instance. The following revised version of the requested remark should be added: THIS WATER RIGHT AND WATER RIGHT NO. 42C 30144812 ARE BASED ON THE SAME HISTORICAL WATER RIGHT.

The following remark should be added to the abstract of this claim noting the amendment: THE FLOW RATE, SOURCE TYPE, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

8. For claim 42C 30108336, the Interlocutory Decree states that the flow rate is 2.00 GPM. The flow rate quantification should be removed and the following standard livestock direct from source flow rate remark should be added: 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.

The Interlocutory Decree states that the source type is GROUNDWATER. The source type should be SURFACE WATER.

The Interlocutory Decree states that the means of diversion is DEVELOPED SPRING. The means of diversion should be LIVESTOCK DIRECT FROM SOURCE.

The second Stipulation requests the addition of a clarification remark which includes the word “associated”. “Associated rights” is a specific term used to identify rights using the same diversion structure and not applicable in this instance. The following revised version of the requested remark should be added: THIS WATER RIGHT AND WATER RIGHT NO. 42C 30144811 ARE BASED ON THE SAME HISTORICAL WATER RIGHT.

The following remark should be added to the abstract of this claim noting the amendment: THE FLOW RATE, SOURCE TYPE, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

9. For claim 42C 30108337, the Interlocutory Decree states that the flow rate is 3.00 GPM. The flow rate quantification should be removed and the following standard livestock direct from source flow rate remark should be added: 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.

The Interlocutory Decree states that the source name is SPRING, UNNAMED TRIBUTARY OF HORSE CREEK and the source type is GROUNDWATER. The source name should be EMMA KRAFT SPRINGS and the source type should be SURFACE WATER.

The Interlocutory Decree states that the means of diversion is DEVELOPED SPRING and includes the following issue remark:

THE CLAIMED MEANS OF DIVERSION APPEARS TO BE INCORRECT AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

The means of diversion should be LIVESTOCK DIRECT FROM SOURCE. The issue remark should be removed as addressed and resolved.

The Interlocutory Decree states that the period of diversion and period of use are APRIL 1 TO NOVEMBER 30. The period of diversion and period of use should be MAY 1 TO

NOVEMBER 30.

The Interlocutory Decree includes a place of use in the NESWNW of section 36, T6S, R44E, ROSEBUD. This place of use should be removed.

The second Stipulation requests the addition of a clarification remark which includes the word "associated". "Associated rights" is a specific term used to identify rights using the same diversion structure and not applicable in this instance. The following revised version of the requested remark should be added: THIS WATER RIGHT AND WATER RIGHT NO. 42C 30144799 ARE BASED ON THE SAME HISTORICAL WATER RIGHT.

The following remark should be added to the abstract of this claim noting the amendment: THE FLOW RATE, SOURCE NAME, SOURCE TYPE, MEANS OF DIVERSION, PERIOD OF DIVERSION, PERIOD OF USE, AND PLACE OF USE WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

10. For claim 42C 30108338, the Interlocutory Decree states that the flow rate is 11.00 GPM. The flow rate quantification should be removed and the following standard livestock direct from source flow rate remark should be added: 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.

The Interlocutory Decree states that the source type is GROUNDWATER. The source type should be SURFACE WATER.

The Interlocutory Decree states that the means of diversion is DEVELOPED SPRING. The means of diversion should be LIVESTOCK DIRECT FROM SOURCE.

The following remark should be added to the abstract of this claim noting the amendment: THE FLOW RATE, SOURCE TYPE, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

11. For claims 42C 30108339 and 42C 30108340, although discussed in the first Stipulation, there are no changes requested for the elements of these claims.

12. For claim 42C 30108346, the Interlocutory Decree states that the flow rate is 2.00 GPM. The flow rate quantification should be removed and the following standard livestock direct from source flow rate remark should be added: 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.

The Interlocutory Decree states that the source type is GROUNDWATER. The source type should be SURFACE WATER. The following clarification remark should be added: SOURCE ALSO KNOWN AS PRAIRIE DOG SPRING.

The Interlocutory Decree states that the means of diversion is DEVELOPED SPRING. The means of diversion should be LIVESTOCK DIRECT FROM SOURCE.

The Interlocutory Decree states that the period of diversion and period of use are APRIL 1 TO NOVEMBER 30. The period of diversion and period of use should be MAY 1 TO NOVEMBER 30.

The following remark should be added to the abstract of this claim noting the amendment: THE FLOW RATE, SOURCE TYPE, SOURCE NAME, MEANS OF DIVERSION, PERIOD OF DIVERSION, AND PERIOD OF USE WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

13. For claim 42C 30108347, the Interlocutory Decree states that the flow rate is 2.00 GPM. The flow rate quantification should be removed and the following standard livestock direct from source flow rate remark should be added: 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.

The Interlocutory Decree states that the source name is SPRING, UNNAMED TRIBUTARY OF INDIANA CREEK and the source type is GROUNDWATER. The source name should be SPRING, UNNAMED TRIBUTARY OF INDIAN CREEK and the source type should be SURFACE WATER. The following clarification remark should be added: SOURCE ALSO KNOWN AS SCHOOL SECTION SPRING.

The Interlocutory Decree states that the means of diversion is DEVELOPED SPRING. The means of diversion should be LIVESTOCK DIRECT FROM SOURCE.

The Interlocutory Decree states that the period of diversion and period of use are APRIL 1 TO NOVEMBER 30. The period of diversion and period of use should be MAY 1 TO NOVEMBER 30.

The following remark should be added to the abstract of this claim noting the



amendment: THE FLOW RATE, SOURCE TYPE, SOURCE NAME, MEANS OF DIVERSION, PERIOD OF DIVERSION, AND PERIOD OF USE WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

14. For claim 42C 30108349, the Interlocutory Decree states that the flow rate is 1.00 GPM. The flow rate quantification should be removed and the following standard livestock direct from source flow rate remark should be added: 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.

The Interlocutory Decree states that the source type is GROUNDWATER. The source type should be SURFACE WATER. The following clarification remark should be added: SOURCE ALSO KNOWN AS RIZOR SPRING.

The Interlocutory Decree states that the means of diversion is DEVELOPED SPRING. The means of diversion should be LIVESTOCK DIRECT FROM SOURCE.

The Interlocutory Decree states that the period of diversion and period of use are APRIL 1 TO NOVEMBER 30. The period of diversion and period of use should be MAY 1 TO NOVEMBER 30.

The following remark should be added to the abstract of this claim noting the amendment: THE FLOW RATE, SOURCE TYPE, SOURCE NAME, MEANS OF DIVERSION, PERIOD OF DIVERSION, AND PERIOD OF USE WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

15. For claim 42C 30108351, the Interlocutory Decree states that the flow rate is 2.00 GPM. The flow rate quantification should be removed and the following standard livestock direct from source flow rate remark should be added: 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.

The Interlocutory Decree states that the source type is GROUNDWATER. The source type should be SURFACE WATER.

The Interlocutory Decree states that the means of diversion is DEVELOPED SPRING. The means of diversion should be LIVESTOCK DIRECT FROM SOURCE.

The following remark should be added to the abstract of this claim noting the amendment: THE FLOW RATE, SOURCE TYPE, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

16. For claim 42C 30108353, the Interlocutory Decree states that the flow rate is 1.00 GPM. The flow rate quantification should be removed and the following standard livestock direct from source flow rate remark should be added: 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.

The Interlocutory Decree states that the source type is GROUNDWATER. The source type should be SURFACE WATER.

The Interlocutory Decree states that the means of diversion is DEVELOPED SPRING. The means of diversion should be LIVESTOCK DIRECT FROM SOURCE.

The following remark should be added to the abstract of this claim noting the amendment: THE FLOW RATE, SOURCE TYPE, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

17. For claim 42C 30108354, the Interlocutory Decree states that the flow rate is 2.00 GPM. The flow rate quantification should be removed and the following standard livestock direct from source flow rate remark should be added: 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.

The Interlocutory Decree states that the source type is GROUNDWATER. The source type should be SURFACE WATER. The following clarification remark should be added: SOURCE ALSO KNOWN AS HIGH TRAIL SPRING.

The Interlocutory Decree states that the means of diversion is DEVELOPED SPRING. The means of diversion should be LIVESTOCK DIRECT FROM SOURCE.

The following remark should be added to the abstract of this claim noting the amendment: THE FLOW RATE, SOURCE TYPE, SOURCE NAME, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

18. For claim 42C 30108355, the Interlocutory Decree states that the flow rate is 3.00

GPM. The flow rate quantification should be removed and the following standard livestock direct from source flow rate remark should be added: 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.

The Interlocutory Decree states that the source type is GROUNDWATER. The source type should be SURFACE WATER. The following clarification remark should be added: SOURCE ALSO KNOWN AS LITTLE BEAVER SPRING.

The Interlocutory Decree states that the means of diversion is DEVELOPED SPRING. The means of diversion should be LIVESTOCK DIRECT FROM SOURCE.

The Interlocutory Decree states that the period of diversion and period of use are APRIL 1 TO NOVEMBER 30. The period of diversion and period of use should be MAY 1 TO NOVEMBER 30.

The following remark should be added to the abstract of this claim noting the amendment: THE FLOW RATE, SOURCE TYPE, SOURCE NAME, MEANS OF DIVERSION, PERIOD OF DIVERSION, AND PERIOD OF USE WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

19. For claim 42C 30108356, the Interlocutory Decree states that the flow rate is 3.00 GPM. The flow rate quantification should be removed and the following standard livestock direct from source flow rate remark should be added: 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.

The Interlocutory Decree states that the source type is GROUNDWATER. The source type should be SURFACE WATER. The following clarification remark should be added: SOURCE ALSO KNOWN AS YONKEE DRAW SPRING.

The Interlocutory Decree states that the means of diversion is DEVELOPED SPRING. The means of diversion should be LIVESTOCK DIRECT FROM SOURCE.

The Interlocutory Decree states that the period of diversion and period of use are APRIL 1 TO NOVEMBER 30. The period of diversion and period of use should be MAY 1 TO NOVEMBER 30.

The following remark should be added to the abstract of this claim noting the amendment: THE FLOW RATE, SOURCE TYPE, SOURCE NAME, MEANS OF DIVERSION, PERIOD OF DIVERSION, AND PERIOD OF USE WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

20. For claim 42C 30108357, the Interlocutory Decree states that the flow rate is 3.00 GPM. The flow rate quantification should be removed and the following standard livestock direct from source flow rate remark should be added: 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.

The Interlocutory Decree states that the source type is GROUNDWATER. The source type should be SURFACE WATER. The following clarification remark should be added: SOURCE ALSO KNOWN AS RENI SPRING.

The Interlocutory Decree states that the means of diversion is DEVELOPED SPRING. The means of diversion should be LIVESTOCK DIRECT FROM SOURCE.

The Interlocutory Decree states that the period of diversion and period of use are APRIL 1 TO NOVEMBER 30. The period of diversion and period of use should be MAY 1 TO NOVEMBER 30.

The following remark should be added to the abstract of this claim noting the amendment: THE FLOW RATE, SOURCE TYPE, SOURCE NAME, MEANS OF DIVERSION, PERIOD OF DIVERSION, AND PERIOD OF USE WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

21. For claim 42C 30108358, the Interlocutory Decree states that the flow rate is 3.00 GPM. The flow rate quantification should be removed and the following standard livestock direct from source flow rate remark should be added: 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.

The Interlocutory Decree states that the source type is GROUNDWATER. The source type should be SURFACE WATER. The following clarification remark should be added: SOURCE ALSO KNOWN AS SCHOOL HOUSE SPRING.

The Interlocutory Decree states that the means of diversion is DEVELOPED SPRING. The means of diversion should be LIVESTOCK DIRECT FROM SOURCE.

The following remark should be added to the abstract of this claim noting the amendment: THE FLOW RATE, SOURCE TYPE, SOURCE NAME, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

#### CONCLUSIONS OF LAW

1. The requested amendments do not adversely affect other water rights as they are corrections to the abstracts which do not make any changes to the actual historical use of the claimed rights on the ground. Notice by publication of these amendments is not required. Section 85-2-233(6), MCA.

2. Each requested amendment “merely makes more specific that which has already been alleged.” *Prentice Lumber Company v. Hukill*, 161 Mont. 8, 15 (1972).

3. The Stipulations, including the portions deemed motions to amend, are sufficient to contradict and overcome the prima facie claims as they appeared in the Interlocutory Decree, and sufficient to resolve the issue remark without evidentiary hearing. Sections 85-2-248(3) and (11), MCA.

#### RECOMMENDATIONS

Based upon the above, this Master recommends that the Court grant the motions to amend claims and make the changes specified in the Findings of Fact to correct the Interlocutory Decree for this Basin. A Post Decree Abstract of Water Right Claim for each claim is served with this Report to confirm the recommended changes have been made in the state's centralized record system.

#### **ELECTRONICALLY SIGNED AND DATED BELOW**

##### **Service via USPS Mail:**

Hagen Ranch LLC  
221 Otter Creek Rd  
Ashland, MT 59003

##### **Service Via Electronic Mail:**

Judith E. Coleman  
Trial Attorney  
US Dept of Justice, ENRD-NRS  
judith.coleman@usdoj.gov  
MontanaBasins.ENRD@USDOJ.GOV

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**TONGUE RIVER, BELOW HANGING WOMAN CREEK**  
**BASIN 42C**

**Water Right Number:** 42C 30108330 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HAGEN RANCH LLC  
221 OTTER CREEK RD  
ASHLAND, MT 59003-9421

**Priority Date:** JANUARY 1, 1883

**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 STOCKWATERING 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:** SPRING, UNNAMED TRIBUTARY OF COW CREEK

**Source Type:** SURFACE WATER

ALSO KNOWN AS BOG DRAW SPRING

**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		NESESW	16	6S	45E	POWDER RIVER

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** APRIL 1 TO NOVEMBER 30

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESESW	16	6S	45E	POWDER RIVER

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: NESE (KNOWN AS LOT 6) SEC 1 TWP 7S RGE 45E SEE THE CLAIM FILE FOR THE COMPLETE LEGAL LAND DESCRIPTION OF THE PRIVATE LAND TO WHICH THIS WATER RIGHT IS APPURTENANT.

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**Remarks:**

THE FLOW RATE, SOURCE TYPE, SOURCE NAME, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**TONGUE RIVER, BELOW HANGING WOMAN CREEK**  
**BASIN 42C**

**Water Right Number:** 42C 30108331 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HAGEN RANCH LLC  
221 OTTER CREEK RD  
ASHLAND, MT 59003-9421

**Priority Date:** JANUARY 1, 1883

**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 STOCKWATERING 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:** SPRING, UNNAMED TRIBUTARY OF COW CREEK

**Source Type:** SURFACE WATER

ALSO KNOWN AS GERTRUDE SPRING

**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		SENESE	17	6S	45E	POWDER RIVER

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** APRIL 1 TO NOVEMBER 30

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENESE	17	6S	45E	POWDER RIVER

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: NESE(KNOWN AS LOT 6) SEC 1 TWP 7S RGE 45E SEE THE CLAIM FILE FOR THE COMPLETE LEGAL LAND DESCRIPTION OF THE PRIVATE LAND TO WHICH THIS WATER RIGHT IS APPURTENANT.

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**Remarks:**

THE FLOW RATE, SOURCE TYPE, SOURCE NAME, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**TONGUE RIVER, BELOW HANGING WOMAN CREEK**  
**BASIN 42C**

**Water Right Number:** 42C 30108332 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HAGEN RANCH LLC  
221 OTTER CREEK RD  
ASHLAND, MT 59003-9421

**Priority Date:** JANUARY 1, 1883

THIS WATER RIGHT AND WATER RIGHT NO. 42C 30144809 ARE BASED ON THE SAME HISTORICAL WATER RIGHT.

**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 STOCKWATERING 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:** FIRST CREEK SPRING

**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		SESESE	9	6S	45E	POWDER RIVER

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** APRIL 1 TO NOVEMBER 30

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESESE	9	6S	45E	POWDER RIVER

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: NESE (KNOWN AS LOT 6) SEC 1 TWP 7S RGE 45E SEE THE CLAIM FILE FOR THE COMPLETE LEGAL LAND DESCRIPTION OF THE PRIVATE LAND TO WHICH THIS WATER RIGHT IS APPURTENANT.

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**Remarks:**

THE FLOW RATE, SOURCE NAME, SOURCE TYPE, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.



**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**TONGUE RIVER, BELOW HANGING WOMAN CREEK**  
**BASIN 42C**

**Water Right Number:** 42C 30108334 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HAGEN RANCH LLC  
221 OTTER CREEK RD  
ASHLAND, MT 59003-9421

**Priority Date:** JANUARY 1, 1883

THIS WATER RIGHT AND WATER RIGHT NO. 42C 30144805 ARE BASED ON THE SAME HISTORICAL WATER RIGHT.

**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 STOCKWATERING 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:** MOONSHINE SPRING

**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		NESESW	32	6S	45E	POWDER RIVER

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** APRIL 1 TO NOVEMBER 30

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESESW	32	6S	45E	POWDER RIVER

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: NESE (KNOWN AS LOT 6) SEC 1 TWP 7S RGE45E SEE THE CLAIM FILE FOR THE COMPLETE LEGAL LAND DESCRIPTION OF THE PRIVATE LAND TO WHICH THIS WATER RIGHT IS APPURTENANT.

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**Remarks:**

THE FLOW RATE, SOURCE TYPE, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**TONGUE RIVER, BELOW HANGING WOMAN CREEK**  
**BASIN 42C**

**Water Right Number:** 42C 30108335 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HAGEN RANCH LLC  
221 OTTER CREEK RD  
ASHLAND, MT 59003-9421

**Priority Date:** JANUARY 1, 1883

THIS WATER RIGHT AND WATER RIGHT NO. 42C 30144812 ARE BASED ON THE SAME HISTORICAL WATER RIGHT.

**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 STOCKWATERING 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:** MORRIS SPRING

**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		SWNWNE	31	6S	45E	POWDER RIVER

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** APRIL 1 TO NOVEMBER 30

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNWNE	31	6S	45E	POWDER RIVER

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: NESE (KNOWN AS LOT 6) SEC 1 TWP 7S RGE 45E SEE THE CLAIM FILE FOR THE COMPLETE LEGAL LAND DESCRIPTION OF THE PRIVATE LAND TO WHICH THIS WATER RIGHT IS APPURTENANT.

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**Remarks:**

THE FLOW RATE, SOURCE TYPE, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**TONGUE RIVER, BELOW HANGING WOMAN CREEK**  
**BASIN 42C**

**Water Right Number:** 42C 30108336 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HAGEN RANCH LLC  
221 OTTER CREEK RD  
ASHLAND, MT 59003-9421

**Priority Date:** JANUARY 1, 1883

THIS WATER RIGHT AND WATER RIGHT NO. 42C 30144811 ARE BASED ON THE SAME HISTORICAL WATER RIGHT.

**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 STOCKWATERING 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:** CY SPRING

**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		SESWSE	27	6S	45E	POWDER RIVER

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** APRIL 1 TO NOVEMBER 30

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESWSE	27	6S	45E	POWDER RIVER

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: NESE (KNOWN AS LOT 6) SEC 1 TWP 7S RGE 45E SEE THE CLAIM FILE FOR THE COMPLETE LEGAL LAND DESCRIPTION OF THE PRIVATE LAND TO WHICH THIS WATER RIGHT IS APPURTENANT.

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**Remarks:**

THE FLOW RATE, SOURCE TYPE, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**TONGUE RIVER, BELOW HANGING WOMAN CREEK**  
**BASIN 42C**

**Water Right Number:** 42C 30108337 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HAGEN RANCH LLC  
221 OTTER CREEK RD  
ASHLAND, MT 59003-9421

**Priority Date:** JANUARY 1, 1883

THIS WATER RIGHT AND WATER RIGHT NO. 42C 30144799 ARE BASED ON THE SAME HISTORICAL WATER RIGHT.

**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 STOCKWATERING 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:** EMMA KRAFT SPRINGS

**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		NWNENE	36	6S	44E	ROSEBUD

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

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

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

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNENE	36	6S	44E	ROSEBUD

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: NESE (KNOWN AS LOT 6) SEC 1 TWP 7S RGE 45E.

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**Remarks:**

THE FLOW RATE, SOURCE NAME, SOURCE TYPE, MEANS OF DIVERSION, PERIOD OF DIVERSION, PERIOD OF USE, AND PLACE OF USE WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**TONGUE RIVER, BELOW HANGING WOMAN CREEK**  
**BASIN 42C**

**Water Right Number:** 42C 30108338 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HAGEN RANCH LLC  
221 OTTER CREEK RD  
ASHLAND, MT 59003-9421

**Priority Date:** JANUARY 1, 1883

**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 STOCKWATERING 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:** COW CREEK SPRING

**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		NWNWNE	20	6S	45E	POWDER RIVER

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** APRIL 1 TO NOVEMBER 30

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNWNE	20	6S	45E	POWDER RIVER

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: NESE (KNOWN AS LOT 6) SEC 1 TWP 7S RGE 45E SEE THE CLAIM FILE FOR THE COMPLETE LEGAL LAND DESCRIPTION OF THE PRIVATE LAND TO WHICH THIS WATER RIGHT IS APPURTENANT.

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**Remarks:**

THE FLOW RATE, SOURCE TYPE, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**TONGUE RIVER, BELOW HANGING WOMAN CREEK**  
**BASIN 42C**

**Water Right Number:** 42C 30108339 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HAGEN RANCH LLC  
221 OTTER CREEK RD  
ASHLAND, MT 59003-9421

**Priority Date:** JANUARY 1, 1883

**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 STOCKWATERING 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:** COW CREEK

**Source Type:** SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2	17	6S	45E	POWDER RIVER
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 30						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						
2		N2	21	6S	45E	POWDER RIVER
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 30						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						
3			22	6S	45E	POWDER RIVER
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 30						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						
4		S2	23	6S	45E	POWDER RIVER
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 30						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						
5		NE	26	6S	45E	POWDER RIVER
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 30						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						
6		N2	25	6S	45E	POWDER RIVER
<b>Period of Diversion:</b> APRIL 1 TO NOVEMBER 30						
<b>Diversion Means:</b> LIVESTOCK DIRECT FROM SOURCE						

7SWSWSW166S45EPOWDER RIVER

Period of Diversion:APRIL 1 TO NOVEMBER 30

Diversion Means:LIVESTOCK DIRECT FROM SOURCE

Period of Use:APRIL 1 TO NOVEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2	17	6S	45E	POWDER RIVER
2			N2	21	6S	45E	POWDER RIVER
3				22	6S	45E	POWDER RIVER
4			S2	23	6S	45E	POWDER RIVER
5			NE	26	6S	45E	POWDER RIVER
6			N2	25	6S	45E	POWDER RIVER
7			SWSWSW	16	6S	45E	POWDER RIVER

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS.  
THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE  
FOLLOWING PRIVATE LANDS: NESE (KNOWN AS LOT 6) SEC 1 TWP 7S RGE 45E SEE  
THE CLAIM FILE FOR THE COMPLETE LEGAL LAND DESCRIPTION OF THE PRIVATE  
LAND TO WHICH THIS WATER RIGHT IS APPURTENANT.

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**TONGUE RIVER, BELOW HANGING WOMAN CREEK**  
**BASIN 42C**

**Water Right Number:** 42C 30108340 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HAGEN RANCH LLC  
221 OTTER CREEK RD  
ASHLAND, MT 59003-9421

**Priority Date:** JANUARY 1, 1883

**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 STOCKWATERING 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:** HORSE 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		E2NE	32	6S	45E	POWDER RIVER

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

2		W2NW	33	6S	45E	POWDER RIVER
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**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** APRIL 1 TO NOVEMBER 30

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2NE	32	6S	45E	POWDER RIVER
2			W2NW	33	6S	45E	POWDER RIVER

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: NESE (KNOWN AS LOT 6) SEC 1 TWP 7S RGE 45E SEE THE CLAIM FILE FOR THE COMPLETE LEGAL LAND DESCRIPTION OF THE PRIVATE LAND TO WHICH THIS WATER RIGHT IS APPURTENANT.



**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**TONGUE RIVER, BELOW HANGING WOMAN CREEK**  
**BASIN 42C**

**Water Right Number:** 42C 30108346 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HAGEN RANCH LLC  
221 OTTER CREEK RD  
ASHLAND, MT 59003-9421

**Priority Date:** JANUARY 1, 1883

**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 STOCKWATERING 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:** SPRING, UNNAMED TRIBUTARY OF INDIAN CREEK

**Source Type:** SURFACE WATER

ALSO KNOWN AS PRAIRIE DOG SPRING

**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		NENWNW	21	7S	46E	POWDER RIVER

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

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

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

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENWNW	21	7S	46E	POWDER RIVER

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: NESE (KNOWN AS LOT 6) SEC 1 TWP 7S RGE 45E.

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**Remarks:**

THE FLOW RATE, SOURCE TYPE, SOURCE NAME, MEANS OF DIVERSION, PERIOD OF DIVERSION, AND PERIOD OF USE WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**TONGUE RIVER, BELOW HANGING WOMAN CREEK**  
**BASIN 42C**

**Water Right Number:** 42C 30108347 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HAGEN RANCH LLC  
221 OTTER CREEK RD  
ASHLAND, MT 59003-9421

**Priority Date:** JANUARY 1, 1883

**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 STOCKWATERING 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:** SPRING, UNNAMED TRIBUTARY OF INDIAN CREEK

**Source Type:** SURFACE WATER

ALSO KNOWN AS SCHOOL SECTION SPRING

**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		NWSWSE	16	7S	46E	POWDER RIVER

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

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

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

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSWSE	16	7S	46E	POWDER RIVER

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: NESE (KNOWN AS LOT 6) SEC 1 TWP 7S RGE 45E.

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**Remarks:**

THE FLOW RATE, SOURCE TYPE, SOURCE NAME, MEANS OF DIVERSION, PERIOD OF DIVERSION, AND PERIOD OF USE WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**TONGUE RIVER, BELOW HANGING WOMAN CREEK**  
**BASIN 42C**

**Water Right Number:** 42C 30108349 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HAGEN RANCH LLC  
221 OTTER CREEK RD  
ASHLAND, MT 59003-9421

**Priority Date:** JANUARY 1, 1883

**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 STOCKWATERING 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:** SPRING, UNNAMED TRIBUTARY OF TAYLOR CREEK, SOUTH FORK

**Source Type:** SURFACE WATER  
ALSO KNOWN AS RIZOR SPRING

**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	29	7S	47E	POWDER RIVER

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

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

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

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSENE	29	7S	47E	POWDER RIVER

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: NESE (KNOWN AS LOT 6) SEC 1 TWP 7S RGE 45E.

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**Remarks:**

THE FLOW RATE, SOURCE TYPE, SOURCE NAME, MEANS OF DIVERSION, PERIOD OF DIVERSION, AND PERIOD OF USE WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**TONGUE RIVER, BELOW HANGING WOMAN CREEK**  
**BASIN 42C**

**Water Right Number:** 42C 30108351 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HAGEN RANCH LLC  
221 OTTER CREEK RD  
ASHLAND, MT 59003-9421

**Priority Date:** JANUARY 1, 1883

**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 STOCKWATERING 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:** WILBUR SPRING

**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	1	SENE	9	7S	46E	POWDER RIVER

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** APRIL 1 TO NOVEMBER 30

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		1	SENE	9	7S	46E	POWDER RIVER

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: NESE (KNOWN AS LOT 6) SEC 1 TWP 7S RGE 45E.

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**Remarks:**

THE FLOW RATE, SOURCE TYPE, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**TONGUE RIVER, BELOW HANGING WOMAN CREEK**  
**BASIN 42C**

**Water Right Number:** 42C 30108353 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HAGEN RANCH LLC  
221 OTTER CREEK RD  
ASHLAND, MT 59003-9421

**Priority Date:** JANUARY 1, 1883

**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 STOCKWATERING 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:** GRIFFIN COULEE SPRING

**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		NWNESW	4	7S	46E	POWDER RIVER

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** APRIL 1 TO NOVEMBER 30

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNESW	4	7S	46E	POWDER RIVER

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: NESE (KNOWN AS LOT 6) SEC 1 TWP 7S RGE 45E.

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**Remarks:**

THE FLOW RATE, SOURCE TYPE, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**TONGUE RIVER, BELOW HANGING WOMAN CREEK**  
**BASIN 42C**

**Water Right Number:** 42C 30108354 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HAGEN RANCH LLC  
221 OTTER CREEK RD  
ASHLAND, MT 59003-9421

**Priority Date:** JANUARY 1, 1883

**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 STOCKWATERING 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:** SPRING, UNNAMED TRIBUTARY OF INDIAN CREEK

**Source Type:** SURFACE WATER

ALSO KNOWN AS HIGH TRAIL SPRING

**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		SESESE	23	7S	46E	POWDER RIVER

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** APRIL 1 TO NOVEMBER 30

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESESE	23	7S	46E	POWDER RIVER

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: NESE (KNOWN AS LOT 6) SEC 1 TWP 7S RGE 45E.

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**Remarks:**

THE FLOW RATE, SOURCE TYPE, SOURCE NAME, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**TONGUE RIVER, BELOW HANGING WOMAN CREEK**  
**BASIN 42C**

**Water Right Number:** 42C 30108355 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HAGEN RANCH LLC  
221 OTTER CREEK RD  
ASHLAND, MT 59003-9421

**Priority Date:** JANUARY 1, 1883

**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 STOCKWATERING 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:** SPRING, UNNAMED TRIBUTARY OF INDIAN CREEK

**Source Type:** SURFACE WATER

ALSO KNOWN AS LITTLE BEAVER SPRING

**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		SWSWNW	25	7S	46E	POWDER RIVER

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

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

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

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSWNW	25	7S	46E	POWDER RIVER

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: NESE (KNOWN AS LOT 6) SEC 1 TWP 7S RGE 45E.

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**Remarks:**

THE FLOW RATE, SOURCE TYPE, SOURCE NAME, MEANS OF DIVERSION, PERIOD OF DIVERSION, AND PERIOD OF USE WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**TONGUE RIVER, BELOW HANGING WOMAN CREEK**  
**BASIN 42C**

**Water Right Number:** 42C 30108356 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HAGEN RANCH LLC  
221 OTTER CREEK RD  
ASHLAND, MT 59003-9421

**Priority Date:** JANUARY 1, 1883

**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 STOCKWATERING 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:** SPRING, UNNAMED TRIBUTARY OF INDIAN CREEK, NORTH FORK

**Source Type:** SURFACE WATER

ALSO KNOWN AS YONKEE DRAW SPRING

**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	NENWSW	30	7S	47E	POWDER RIVER

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

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

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

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		3	NENWSW	30	7S	47E	POWDER RIVER

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: NESE (KNOWN AS LOT 6) SEC 1 TWP 7S RGE 45E.

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**Remarks:**

THE FLOW RATE, SOURCE TYPE, SOURCE NAME, MEANS OF DIVERSION, PERIOD OF DIVERSION, AND PERIOD OF USE WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.



**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**TONGUE RIVER, BELOW HANGING WOMAN CREEK**  
**BASIN 42C**

**Water Right Number:** 42C 30108357 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HAGEN RANCH LLC  
221 OTTER CREEK RD  
ASHLAND, MT 59003-9421

**Priority Date:** JANUARY 1, 1883

**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 STOCKWATERING 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:** SPRING, UNNAMED TRIBUTARY OF TAYLOR CREEK, SOUTH FORK

**Source Type:** SURFACE WATER

ALSO KNOWN AS RENI SPRING

**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	14	7S	46E	POWDER RIVER

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

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

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

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESWNW	14	7S	46E	POWDER RIVER

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: NESE (KNOWN AS LOT 6) SEC 1 TWP 7S RGE 45E.

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**Remarks:**

THE FLOW RATE, SOURCE TYPE, SOURCE NAME, MEANS OF DIVERSION, PERIOD OF DIVERSION, AND PERIOD OF USE WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**TONGUE RIVER, BELOW HANGING WOMAN CREEK**  
**BASIN 42C**

**Water Right Number:** 42C 30108358 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** HAGEN RANCH LLC  
221 OTTER CREEK RD  
ASHLAND, MT 59003-9421

**Priority Date:** JANUARY 1, 1883

**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 STOCKWATERING 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:** SPRING, UNNAMED TRIBUTARY OF INDIAN CREEK, NORTH FORK

**Source Type:** SURFACE WATER

ALSO KNOWN AS SCHOOL HOUSE SPRING

**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		NWNENW	32	7S	47E	POWDER RIVER

**Period of Diversion:** APRIL 1 TO NOVEMBER 30

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**Period of Use:** APRIL 1 TO NOVEMBER 30

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNENW	32	7S	47E	POWDER RIVER

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: NESE (KNOWN AS LOT 6) SEC 1 TWP 7S RGE 45E.

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**Remarks:**

THE FLOW RATE, SOURCE TYPE, SOURCE NAME, AND MEANS OF DIVERSION WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.