

Montana Water Court  
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IN THE WATER COURT OF THE STATE OF MONTANA  
YELLOWSTONE DIVISION  
TONGUE RIVER BELOW HANGING WOMAN CREEK - BASIN 42C  
INTERLOCUTORY DECREE

\* \* \* \* \*

CLAIMANTS: Jae Notti; Suzanne Notti

OBJECTOR: United States, DOA Forest Service

**CASE 42C-0040-I-2024**

42C 30144799	42C 30144812
42C 30144804	42C 30144813
42C 30144805	42C 30144814
42C 30144807	42C 30144815
42C 30144809	42C 30144817
42C 30144811	42C 30144818

**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 have **13 days** from the service date of the notice of filing of this report to file a written objection or request an extension of the objection period. Rule 23, Water Right Adjudication Rules; Rule 6, Montana Rules of Civil Procedure. If you file an objection, you must serve a copy of the objection to all parties on the service list found at the end of the Master's Report. The original objection and a certificate of mailing to all parties on the service list must be filed with the Water Court.

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

**MASTER'S REPORT**

The United States, DOA Forest Service objected to each of these claims. On July 11, 2025 the parties filed a Stipulation To Resolve Objections for claims 42C 30144799, 42C

30144805, 42C 30144809, 42C 30144811, and 42C 30144812 [Doc. 10]. On September 2, 2025 the parties filed a second Stipulation To Resolve Objections for claims 42C 30144804, 42C 30144807, 42C 30144813, 42C 30144814, 42C 30144815, 42C 30144817, and 42C 30144818 [Doc. 11]. As most of the requested changes are to elements that were not included in the objections, each Stipulation is deemed a motion to amend the claims pursuant to section 85-2-233(6), MCA. The Stipulations are viewable in the Court's FullCourt Enterprise case management system.

#### APPLICABLE LAW

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, 708 P.2d 1014, 1017 (1985). The requested amendment "merely makes more specific that which has already been alleged." *Prentice Lumber Company v. Hukill*, 161 Mont. 8, 15, 504 P.2d 277, 281 (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 85-2-222, 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 amending their own claims. Rule 19, W.R.Adj.R.

#### FINDINGS OF FACT

1. The changes requested in the motions to amend arise out of the same conduct, transaction, or occurrence specified on the original Statements of Claim, are based on the same operative facts specified in the Statements of Claim, and merely make more specific that which was already claimed on the original Statements of Claim.

2. For claim 42C 30144799, the Interlocutory Decree states the priority date is APRIL 1, 1883. The priority date should be JANUARY 1, 1883. As requested, the following remark should be added to the priority date: THIS WATER RIGHT AND WATER RIGHT NO. 42C 30108337 ARE BASED ON THE SAME HISTORICAL WATER RIGHT.

The Interlocutory Decree states that the period of diversion and period of use are JANUARY 1 TO DECEMBER 31. They should both be MAY 1 TO NOVEMBER 30.

3. For claim 42C 30144804, the Interlocutory Decree states that the period of diversion and period of use are JANUARY 1 TO DECEMBER 31. They should both be APRIL 1 TO NOVEMBER 30.

4. For claim 42C 30144805, the Interlocutory Decree states the priority date is APRIL 1, 1883. The priority date should be JANUARY 1, 1883. As requested, the following remark should be added to the priority date: THIS WATER RIGHT AND WATER RIGHT NO. 42C 30108334 ARE BASED ON THE SAME HISTORICAL WATER RIGHT.

The Interlocutory Decree states that the flow rate is 4.00 GPM. For this livestock direct from source claim, the quantification should be removed and the following standard 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 the source type is GROUNDWATER. The source type should be SURFACE WATER.

The Interlocutory Decree states that the period of diversion and period of use are JANUARY 1 TO DECEMBER 31. They should both be APRIL 1 TO NOVEMBER 30.

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

5. For claim 42C 30144807, the Interlocutory Decree states that the flow rate is 4.00 GPM. For this livestock direct from source claim, the quantification should be removed and the following standard 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 the source type is GROUNDWATER. The source type should be SURFACE WATER.

The Interlocutory Decree states that the period of diversion and period of use are JANUARY 1 TO DECEMBER 31. They should both be MAY 1 TO NOVEMBER 30.

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

6. For claim 42C 30144809, the Interlocutory Decree states the priority date is APRIL 1, 1883. The priority date should be JANUARY 1, 1883. As requested, the following remark should be added to the priority date: THIS WATER RIGHT AND WATER RIGHT NO. 42C 30108332 ARE BASED ON THE SAME HISTORICAL WATER RIGHT.

The Interlocutory Decree states that the flow rate is 4.00 GPM. For this livestock direct from source claim, the quantification should be removed and the following standard 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 the source type is GROUNDWATER. The source type should be SURFACE WATER.

The Interlocutory Decree states that the period of diversion and period of use are JANUARY 1 TO DECEMBER 31. They should both be APRIL 1 TO NOVEMBER 30.

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

7. For claim 42C 30144811, the Interlocutory Decree states the priority date is APRIL 1, 1883. The priority date should be JANUARY 1, 1883. As requested, the following remark should be added to the priority date: THIS WATER RIGHT AND WATER RIGHT NO. 42C 30108336 ARE BASED ON THE SAME HISTORICAL WATER RIGHT.

The Interlocutory Decree states that the flow rate is 4.00 GPM. For this livestock direct from source claim, the quantification should be removed and the following standard 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 the source type is GROUNDWATER. The source type should be SURFACE WATER.

The Interlocutory Decree states that the period of diversion and period of use are JANUARY 1 TO DECEMBER 31. They should both be APRIL 1 TO NOVEMBER 30.

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

8. For claim 42C 30144812, the Interlocutory Decree states the priority date is APRIL 1, 1883. The priority date should be JANUARY 1, 1883. As requested, the following remark should be added to the priority date: THIS WATER RIGHT AND WATER RIGHT NO. 42C 30108335 ARE BASED ON THE SAME HISTORICAL WATER RIGHT.

The Interlocutory Decree states that the flow rate is 4.00 GPM. For this livestock direct from source claim, the quantification should be removed and the following standard 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 the source type is GROUNDWATER. The source type should be SURFACE WATER.

The Interlocutory Decree states that the period of diversion and period of use are JANUARY 1 TO DECEMBER 31. They should both be APRIL 1 TO NOVEMBER 30.

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

9. For claim 42C 30144813, the Interlocutory Decree states the flow rate is 4.00 GPM. For this livestock direct from source claim, the quantification should be removed and the following standard 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 the source type is GROUNDWATER. The source type should be SURFACE WATER.

The Interlocutory Decree states that the period of diversion and period of use are JANUARY 1 TO DECEMBER 31. They should both be APRIL 1 TO NOVEMBER 30.

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

10. For claim 42C 30144814, the Interlocutory Decree states that the period of diversion and period of use are JANUARY 1 TO DECEMBER 31. They should both be MAY 1 TO NOVEMBER 30.

11. For claim 42C 30144815, the Interlocutory Decree states that the period of diversion and period of use are JANUARY 1 TO DECEMBER 31. They should both be MAY 1 TO NOVEMBER 30.

12. For claim 42C 30144817, the Interlocutory Decree states that the period of diversion and period of use are JANUARY 1 TO DECEMBER 31. They should both be APRIL 1 TO NOVEMBER 30.

13. For claim 42C 30144818, the Interlocutory Decree states the flow rate is 4.00 GPM. For this livestock direct from source claim, the quantification should be removed and the following standard 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 the source type is GROUNDWATER. The source type should be SURFACE WATER.

The Interlocutory Decree states that the period of diversion and period of use are JANUARY 1 TO DECEMBER 31. They should both be APRIL 1 TO NOVEMBER 30.

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

14. All 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.

The remarks should be removed as having served their notice purpose.

### CONCLUSIONS OF LAW

1. The requested amendments do not adversely affect other water rights as they are reductions or 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, 504 P.2d 277, 281 (1972).

3. The Stipulations are sufficient to contradict and overcome the prima facie claims as they appeared in the Interlocutory Decree.

### RECOMMENDATIONS

Based upon the above, this Master recommends that the Court grant the motions to amend these 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:**

Jae Notti  
Suzanne Notti  
416 Otter Decker Rd  
Otter, MT 59062

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

Judith E. Coleman  
Trial Attorney  
US Dept of Justice, ENRD-NRS  
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**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**TONGUE RIVER, BELOW HANGING WOMAN CREEK**  
**BASIN 42C**

**Water Right Number:** 42C 30144799 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** JAE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

SUZANNE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

**Priority Date:** JANUARY 1, 1883

THIS WATER RIGHT AND WATER RIGHT NO. 42C 30108337 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: NWNW SEC 33 TWP 7S RGE 44E.



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

**Water Right Number:** 42C 30144804 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** JAE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

SUZANNE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

**Priority Date:** APRIL 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:** FIRST CREEK

**Source Type:** SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2SW	14	6S	45E	POWDER RIVER

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

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

2		SE	14	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			N2SW	14	6S	45E	POWDER RIVER
2			SE	14	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: NWNW SEC 33 TWP 7S RGE 44E.

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

**Water Right Number:** 42C 30144805 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** JAE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

SUZANNE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

**Priority Date:** JANUARY 1, 1883

THIS WATER RIGHT AND WATER RIGHT NO. 42C 30108334 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: NWNW SEC 33 TWP 07S RGE 44E.

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

**Water Right Number:** 42C 30144807 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** JAE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

SUZANNE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

**Priority Date:** APRIL 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 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		NWSWNE	24	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			NWSWNE	24	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: NWNW SEC 33 TWP 07S RGE 44E.

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

**Water Right Number:** 42C 30144809 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** JAE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

SUZANNE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

**Priority Date:** JANUARY 1, 1883

THIS WATER RIGHT AND WATER RIGHT NO. 42C 30108332 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: NWNW SEC 33 TWP 07S RGE 44E.

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

**Water Right Number:** 42C 30144811 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** JAE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

SUZANNE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

**Priority Date:** JANUARY 1, 1883

THIS WATER RIGHT AND WATER RIGHT NO. 42C 30108336 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: NWNW SEC 33 TWP 07S RGE 44E.

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

**Water Right Number:** 42C 30144812 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** JAE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

SUZANNE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

**Priority Date:** JANUARY 1, 1883

THIS WATER RIGHT AND WATER RIGHT NO. 42C 30108335 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: NWNW SEC 33 TWP 07S RGE 44E.

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

**Water Right Number:** 42C 30144813 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** JAE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

SUZANNE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

**Priority Date:** APRIL 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 FIRST 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		SWSESE	14	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			SWSESE	14	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: NWNW SEC 33 TWP 7S RGE 44E.

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

**Water Right Number:** 42C 30144814 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** JAE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

SUZANNE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

**Priority Date:** APRIL 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 HORSE CREEK

**Source Type:** SURFACE WATER

ALSO KNOWN AS EAST MORRIS 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	31	6S	45E	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			SESESE	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: NWNW SEC 33 TWP 07S RGE 44E.



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

**Water Right Number:** 42C 30144815 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** JAE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

SUZANNE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

**Priority Date:** APRIL 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:** UNNAMED TRIBUTARY OF HORSE CREEK

**Source Type:** SURFACE WATER  
ALSO KNOWN AS BOG DRAW

**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		W2NE	30	6S	45E	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			W2NE	30	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: NWNW SEC 33 TWP 07S RGE 44E.

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			N2	32	6S	45E	POWDER RIVER
2			N2	33	6S	45E	POWDER RIVER
3			S2N2	34	6S	45E	POWDER RIVER
4			N2SE	34	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: NWNW SEC 33 TWP 07S RGE 44E.

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

**Water Right Number:** 42C 30144818 STATEMENT OF CLAIM

**Version:** 2 -- POST DECREE

**Status:** ACTIVE

**Owners:** JAE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

SUZANNE NOTTI  
416 OTTER DECKER RD  
OTTER, MT 59062

**Priority Date:** APRIL 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 FIRST 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		NENWSE	15	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			NENWSE	15	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: NWNW SEC 33 TWP 7S RGE 44E.