

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

CLAIMANTS: John R. Cobb; Cobb & Cobb LLC;
Michaela Sarah Hamilton Howe-Cobb
Trust; Morgan Helen Worthington
Howe-Cobb Trust

CASE 41K-0164-R-2023

41K 95875-00
41K 95912-00
41K 95932-00
41K 95935-00
41K 96080-00
41K 96089-00
41K 96090-00
41K 96167-00
41K 96170-00
41K 96171-00
41K 96172-00
41K 96173-00
41K 96174-00
41K 96176-00
41K 96178-00
41K 96194-00
41K 96205-00
41K 96206-00

NOTICE OF FILING OF MASTER'S REPORT

This Master's Report was filed with the Montana Water Court on the above stamped date. Please review this report carefully.

You may file a written objection to this Master's Report within **10 days** of the stamped date if you disagree or find errors with the Master's findings of fact, conclusions of law, or recommendations. Rule 23, W.R.Adj.R. If the Master's Report was mailed to you, the Montana Rules of Civil Procedure allow an additional 3 days be added to the 10-day objection period. Rule 6(d), M.R.Civ.P. If you file an objection, you must serve a copy of the objection to all parties on the service list found at the end of the Master's Report. The original objection and a certificate of mailing to all parties on the service list must be filed with the Water Court.

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

MASTER'S REPORT

The above-captioned claims appeared in the Preliminary Decree for the Sun River (Basin 41K). The claims were consolidated into Case 41K-0164-R-2023 and the above-captioned claimants were ordered to work with the Department of Natural Resources and Conservation to resolve the issue remarks on the claims. On June 27, 2024, a Memorandum ("Memo") was filed (Doc.¹ 5.00). Attached to the Memo were proposed abstracts as well as maps of the places of use. The Memo stated that the claimants had failed to contact the DNRC as required. On August 13, 2024, an Order Setting Filing Deadline was issued requiring the claimants to file documentation stating their position on the recommendations in the Memo. The Order stated that "[i]f nothing is filed, it will be viewed as agreement that the recommendations in the Memo should be adopted". Nothing was filed in response to the Order.

FINDINGS OF FACT

1. Claim 41K 95875-00 was decreed with the following substantive issue remark:

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

2. The Memo recommended modifying the claim as follows in order to resolve the issue remark:

2 **NESENE** **20** **20N** **8W** **LEWIS AND CLARK**

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: DIKE

3. Claim 41K 95912-00 was decreed with the following substantive issue remarks:

THE MEANS OF DIVERSION APPEARS TO BE INCORRECT. THE MEANS OF DIVERSION APPEARS TO BE A LIVESTOCK DIRECT FROM SOURCE.

POINT OF DIVERSION NO. 4 APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE SWNWNE SEC 14 TWP 20N RGE 8W LEWIS AND CLARK COUNTY.

¹ "Doc." numerical references correlate to case file docket numbers in the Water Court's Full Court case management system.

4. The Memo recommended modifying the claim as follows in order to resolve the issue remarks:

***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		NWSENE	15	20N	8W	LEWIS AND CLARK

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: FLOWING LIVESTOCK DIRECT FROM SOURCE

2		NESENE	15	20N	8W	LEWIS AND CLARK
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: FLOWING LIVESTOCK DIRECT FROM SOURCE

3		SENE	15	20N	8W	LEWIS AND CLARK
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: FLOWING LIVESTOCK DIRECT FROM SOURCE

4		SWNWNE	14	20N	8W	LEWIS AND CLARK
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: FLOWING LIVESTOCK DIRECT FROM SOURCE

~~THE MEANS OF DIVERSION APPEARS TO BE INCORRECT. THE MEANS OF DIVERSION APPEARS TO BE A LIVESTOCK DIRECT FROM SOURCE.~~

~~POINT OF DIVERSION NO. 4 APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE SWNWNE SEC 14 TWP 20N RGE 8W LEWIS AND CLARK COUNTY.~~

5. Claim 41K 95932-00 was decreed with the following substantive issue remark:

THE CLAIMED SOURCE MAY BE QUESTIONABLE. BASED ON AVAILABLE DATA, THE SOURCE MAY BE SURFACE WATER FROM UNNAMED TRIBUTARY OF WILLOW CREEK.

6. The Memo recommended modifying the claim as follows in order to resolve the issue remark:

***Source Name:** UNNAMED TRIBUTARY OF SMITH CREEK WILLOW CREEK

7. Claim 41K 95935-00 was decreed with the following substantive issue remark:

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

8. The Memo recommended removing the remark without modifications to the claim.

9. Claims 41K 96080-00, 41K 96089-00, and 41K 96090-00 were decreed with the following substantive issue remark:

IT APPEARS THE PRIORITY DATE FOR THIS CLAIM SHOULD BE 12/31/1946.

10. The Memo recommended modifying the claims as follows in order to resolve the issue remarks:

Priority Date:

Enforceable Priority Date: 12/31/1946

11. Claim 41K 96167-00 was decreed with the following substantive issue remark:

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

12. The Memo recommended removing the remark without modifications to the claim.

13. Claim 41K 96170-00 was decreed with the following substantive issue remark:

THIS CLAIM APPEARS TO BE CLAIMING TWO SEPARATE SOURCES OF WATER. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

14. The Memo recommended modifying the claim as follows in order to resolve the issue remark:

Source Name:	BREED-CREEK UNNAMED TRIBUTARY OF WILLOW CREEK
Source Type:	SURFACE WATER
Source Name:	WILLOW-CREEK (ANDERSON LAKE) UNNAMED TRIBUTARY OF WILLOW CREEK
Source Type:	SURFACE WATER

15. Claim 41K 96171-00 was decreed with the following substantive issue remarks:

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

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

16. The Memo recommended modifying the claim as follows in order to resolve the issue remarks:

Flow Rate: ~~5.00 CFS~~ 306 GPM

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		SE	NENWSW	25	20N	9W	LEWIS AND CLARK

17. Claim 41K 96172-00 was decreed with the following substantive issue remark:

THE CLAIMED SOURCE MAY BE QUESTIONABLE. BASED ON AVAILABLE DATA, THE SOURCE MAY BE SURFACE WATER FROM UNNAMED TRIBUTARY OF WILLOW CREEK (ANDERSON LAKE).

18. The Memo recommended modifying the claim as follows in order to resolve the issue remark:

Source Name: UNNAMED TRIBUTARY OF WILLOW CREEK (ANDERSON LAKE)

19. Claim 41K 96173-00 was decreed with the following substantive issue remark:

THE POINT OF DIVERSION APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE SWSNW SEC 6 TWP 19N RGE 8W LEWIS AND CLARK COUNTY.

20. The Memo recommended modifying the claim as follows in order to resolve the issue remark:

***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	SWSNW	NWSE	34 6	20N 19N	8W	LEWIS AND CLARK

21. Claim 41K 96174-00 was decreed with the following substantive issue remark:

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

22. The Memo recommended modifying the claim as follows in order to resolve the issue remark:

***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	SWNE	33	21N	8W	LEWIS AND CLARK

23. Claim 41K 96176-00 was decreed with the following substantive issue remark:

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

24. The Memo recommended modifying the claim as follows in order to resolve the issue remark:

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		NENESE NENWSW	3 2	20N	8W	LEWIS AND CLARK

25. Claim 41K 96178-00 was decreed with the following substantive issue remarks:

THE POINT OF DIVERSION APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE NESWSE SEC 27 TWP 21N RGE 8W LEWIS AND CLARK COUNTY.

THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME EQUALS 32.52 TIMES THE CAPACITY OF THE RESERVOIR.

26. The Memo recommended modifying the claim as follows in order to resolve the issue remarks:

Volume:

~~308.00 AC-FT~~ 23.67 AC-FT

***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	SWSE	27	21N	8W	LEWIS AND CLARK

27. Claim 41K 96194-00 was decreed with the following substantive issue remarks:

THE PLACE OF USE APPEARS TO NEED MODIFICATION BASED ON THE CORRECTION SUGGESTED BY THE DNRC FOR POINT OF DIVERSION NO. 17. THE CORRECT PLACE OF USE LEGAL LAND DESCRIPTION FOR PARCEL ID NO. 17 APPEARS TO BE THE W2SE SEC 12 TWP 20N RGE 8W LEWIS AND CLARK COUNTY.

THE PLACE OF USE APPEARS TO NEED MODIFICATION BASED ON THE CORRECTION SUGGESTED BY THE DNRC FOR POINT OF DIVERSION NO. 1. THE CORRECT PLACE OF USE LEGAL LAND DESCRIPTION FOR PARCEL ID NO. 1 APPEARS TO BE THE SE SEC 25 TWP 20N RGE 9W LEWIS AND CLARK COUNTY.

POINT OF DIVERSION NO. 1 APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE SE SEC 25 TWP 20N RGE 9W LEWIS AND CLARK COUNTY.

POINT OF DIVERSION NO. 17 APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE W2SE SEC 12 TWP 20N RGE 8W LEWIS AND CLARK COUNTY.

28. The Memo recommended modifying the claim as follows in order to resolve the issue remarks:

***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		E2 SE	25	20N	8W	LEWIS AND CLARK

**ADDITIONAL POD ADDED
NENESW S25 T20N R9W
LEWIS AND CLARK COUNTY**

***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			E2	SE	25	20N	8W	LEWIS AND CLARK
*2					30	20N	8W	LEWIS AND CLARK
*3			NWNWNW		29	20N	8W	LEWIS AND CLARK
*4			S2S2		20	20N	8W	LEWIS AND CLARK
*5			NENW		29	20N	8W	LEWIS AND CLARK
*6			S2		21	20N	8W	LEWIS AND CLARK
*7			SENE		21	20N	8W	LEWIS AND CLARK
*8			NW		22	20N	8W	LEWIS AND CLARK
*9			SW		15	20N	8W	LEWIS AND CLARK
*10			E2SE		15	20N	8W	LEWIS AND CLARK
*11			S2SENE		14	20N	8W	LEWIS AND CLARK
*12			SE		14	20N	8W	LEWIS AND CLARK
*13			N2SW		14	20N	8W	LEWIS AND CLARK
*14			SESW		14	20N	8W	LEWIS AND CLARK
*15			W2		13	20N	8W	LEWIS AND CLARK
*16			E2SE		12	19N	8W	LEWIS AND CLARK
*17			W2SE		12	19N	8W	LEWIS AND CLARK
18			NENESW		25	20N	9W	LEWIS AND CLARK

29. Claim 41K 96205-00 was decreed with the following substantive issue remark:

THE CLAIMED POINT OF DIVERSION MAY BE INCOMPLETE. IT APPEARS THERE SHOULD BE ADDITIONAL POINTS OF DIVERSION ON WILLOW CREEK WHICH COULD NOT BE IDENTIFIED FROM INFORMATION IN THE CLAIM FILE.

30. The Memo recommended removing the issue remark without modifications to the claim.

31. Claim 41K 96206-00 was decreed with the following substantive issue remarks:

IT APPEARS POINT OF DIVERSION NO. 2 MAY BE INCORRECT. THE EXISTENCE OF A HEADGATE CANNOT BE CONFIRMED FROM AVAILABLE DATA.

THIS CLAIM APPEARS TO BE CLAIMING TWO SEPARATE SOURCES OF WATER. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

32. The Memo recommended removing the issue remark without modifications to the claim.

33. The remaining issue remarks are ‘notice type’ issue remarks that do not require additional proceedings or information to resolve. The remarks have served their purpose and should be removed from the claims.

PRINCIPLES OF LAW

1. The Montana Water Court has the authority to determine the extent of all water rights in the state as they existed prior to July 1, 1973. *Fellows v. Saylor*, 2016 MT 45, ¶ 25, 382 Mont. 298, 367 P.3d 732; §§ 85-2-233, -102(13), MCA.

2. A properly filed Statement of Claim for Existing Water Right is prima facie proof of its content. § 85-2-227, MCA. This prima facie proof may be contradicted and overcome by other evidence that proves, by a preponderance of the evidence, that the elements of the claim do not accurately reflect the beneficial use of the water right as it existed prior to July 1, 1973. This is the burden of proof for every assertion that a claim is incorrect. Rule 19, W.R.Adj.R.

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

CONCLUSION OF LAW

1. The claims should be modified as discussed above.

RECOMMENDATION

1. Upon review the record in this case, the claims should be modified as discussed above. The modifications to the claims resolve the issue remarks and the issue remarks should be removed.

A Post Decree Abstract of Water Right Claim is attached to this Master's Report for review.

ELECTRONICALLY SIGNED AND DATED BELOW.

Service via USPS Mail:

John R. Cobb
PO Box 388
Augusta, MT 59410-0388

Cobb & Cobb LLC
PO Box 348
Augusta, MT 59410-0348

Michaela Sarah Hamilton Howe-Cobb Trust
PO Box 289
Augusta, MT 59410-0289

Morgan Helen Worthington Howe-Cobb Trust
Morgan Helen Worthington Howe-Cobb Trustee
14970 Dark Star Ct
Morgan Hill, CA 95037-6011

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

Water Right Number: 41K 95875-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

JOHN R COBB
PO BOX 388
AUGUSTA, MT 59410-0388

COBB & COBB LLC
PO BOX 348
AUGUSTA, MT 59410-0348

HOWE-COBB, MICHAELA SARAH HAMILTON TRUST
PO BOX 289
AUGUSTA, MT 59410-0289

HOWE-COBB, MORGAN HELEN WORTHINGTON TRUST
MORGAN HELEN WORTHINGTON HOWE-COBB TRUSTEE
14970 DARK STAR CT
MORGAN HILL, CA 95037-6011

Priority Date: DECEMBER 31, 1916

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 20.00 GPM

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

Climatic Area: 5 - LOW

Maximum Acres: 13.00

Source Name: LIMPERT 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		SENE	20	20N	8W	LEWIS AND CLARK

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: DIKE

Period of Use: MAY 1 TO OCTOBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.00		NESENE	20	20N	8W	LEWIS AND CLARK
2	3.00		NESENE	20	20N	8W	LEWIS AND CLARK

Total: 13.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

95852-00

95875-00

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

Water Right Number: 41K 95912-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

JOHN R COBB
PO BOX 388
AUGUSTA, MT 59410-0388

COBB & COBB LLC
PO BOX 348
AUGUSTA, MT 59410-0348

HOWE-COBB, MICHAELA SARAH HAMILTON TRUST
PO BOX 289
AUGUSTA, MT 59410-0289

HOWE-COBB, MORGAN HELEN WORTHINGTON TRUST
MORGAN HELEN WORTHINGTON HOWE-COBB TRUSTEE
14970 DARK STAR CT
MORGAN HILL, CA 95037-6011

***Priority Date:** JANUARY 1, 1868

Type of Historical Right: USE

Purpose (Use): STOCK

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

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

***Source Name:** UNNAMED TRIBUTARY OF WILLOW 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		NWSENE	15	20N	8W	LEWIS AND CLARK
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		NESENE	15	20N	8W	LEWIS AND CLARK
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		SENESE	15	20N	8W	LEWIS AND CLARK
Period of Diversion:	JANUARY 1 TO DECEMBER 31					

Diversion Means: LIVESTOCK DIRECT FROM SOURCE
4 SWNWNE 14 20N 8W LEWIS AND CLARK

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNWNE	14	20N	8W	LEWIS AND CLARK
2			NESENE	15	20N	8W	LEWIS AND CLARK
3			NWSENE	15	20N	8W	LEWIS AND CLARK
4			SENE	15	20N	8W	LEWIS AND CLARK

Remarks:

IMPLIED CLAIM NO. 41K 216287-00 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

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

Water Right Number: 41K 95932-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

JOHN R COBB
PO BOX 388
AUGUSTA, MT 59410-0388

COBB & COBB LLC
PO BOX 348
AUGUSTA, MT 59410-0348

HOWE-COBB, MICHAELA SARAH HAMILTON TRUST
PO BOX 289
AUGUSTA, MT 59410-0289

HOWE-COBB, MORGAN HELEN WORTHINGTON TRUST
MORGAN HELEN WORTHINGTON HOWE-COBB TRUSTEE
14970 DARK STAR CT
MORGAN HILL, CA 95037-6011

***Priority Date:** JANUARY 1, 1868

Type of Historical Right: USE

Purpose (Use): STOCK

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

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

Source Name: UNNAMED TRIBUTARY OF WILLOW 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		NESW	24	20N	8W	LEWIS AND CLARK

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESW	24	20N	8W	LEWIS AND CLARK

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

Water Right Number: 41K 95935-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

JOHN R COBB
PO BOX 388
AUGUSTA, MT 59410-0388

COBB & COBB LLC
PO BOX 348
AUGUSTA, MT 59410-0348

HOWE-COBB, MICHAELA SARAH HAMILTON TRUST
PO BOX 289
AUGUSTA, MT 59410-0289

HOWE-COBB, MORGAN HELEN WORTHINGTON TRUST
MORGAN HELEN WORTHINGTON HOWE-COBB TRUSTEE
14970 DARK STAR CT
MORGAN HILL, CA 95037-6011

Priority Date: DECEMBER 31, 1916

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 15.00 GPM

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

Climatic Area: 5 - LOW

Maximum Acres: 10.00

Source Name: UNNAMED TRIBUTARY OF WILLOW 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		NWSWSW	13	20N	8W	LEWIS AND CLARK

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		NWSWSW	13	20N	8W	LEWIS AND CLARK
2	7.00		W2NWSW	13	20N	8W	LEWIS AND CLARK

Total: 10.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

95844-00	95848-00	95849-00	95891-00	95893-00	95895-00
95896-00	95897-00	95899-00	95900-00	95935-00	95942-00
96015-00	96049-00	96168-00	96170-00	96172-00	96177-00
96206-00					

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

Water Right Number: 41K 96080-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

JOHN R COBB
PO BOX 388
AUGUSTA, MT 59410-0388

COBB & COBB LLC
PO BOX 348
AUGUSTA, MT 59410-0348

HOWE-COBB, MICHAELA SARAH HAMILTON TRUST
PO BOX 289
AUGUSTA, MT 59410-0289

HOWE-COBB, MORGAN HELEN WORTHINGTON TRUST
MORGAN HELEN WORTHINGTON HOWE-COBB TRUSTEE
14970 DARK STAR CT
MORGAN HILL, CA 95037-6011

Priority Date: DECEMBER 31, 1946

Type of Historical Right: USE

Purpose (Use): FISH AND WILDLIFE

Flow Rate: 20.00 GPM

Volume: 4.00 AC-FT

Source Name: UNNAMED TRIBUTARY OF WILLOW 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		W2SESE	11	20N	8W	LEWIS AND CLARK

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: INSTREAM

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2SESE	11	20N	8W	LEWIS AND CLARK

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

Water Right Number: 41K 96089-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

JOHN R COBB
PO BOX 388
AUGUSTA, MT 59410-0388

COBB & COBB LLC
PO BOX 348
AUGUSTA, MT 59410-0348

HOWE-COBB, MICHAELA SARAH HAMILTON TRUST
PO BOX 289
AUGUSTA, MT 59410-0289

HOWE-COBB, MORGAN HELEN WORTHINGTON TRUST
MORGAN HELEN WORTHINGTON HOWE-COBB TRUSTEE
14970 DARK STAR CT
MORGAN HILL, CA 95037-6011

Priority Date: DECEMBER 31, 1946

Type of Historical Right: USE

Purpose (Use): FISH AND WILDLIFE

Flow Rate: 5.00 GPM

Volume: 3.00 AC-FT

Source Name: UNNAMED TRIBUTARY OF WILLOW 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		NENE	14	20N	8W	LEWIS AND CLARK

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: INSTREAM

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENE	14	20N	8W	LEWIS AND CLARK

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

Water Right Number: 41K 96090-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

JOHN R COBB
PO BOX 388
AUGUSTA, MT 59410-0388

COBB & COBB LLC
PO BOX 348
AUGUSTA, MT 59410-0348

HOWE-COBB, MICHAELA SARAH HAMILTON TRUST
PO BOX 289
AUGUSTA, MT 59410-0289

HOWE-COBB, MORGAN HELEN WORTHINGTON TRUST
MORGAN HELEN WORTHINGTON HOWE-COBB TRUSTEE
14970 DARK STAR CT
MORGAN HILL, CA 95037-6011

Priority Date: DECEMBER 31, 1946

Type of Historical Right: USE

Purpose (Use): FISH AND WILDLIFE

Flow Rate: 20.00 GPM

Volume: 10.00 AC-FT

Source Name: UNNAMED TRIBUTARY OF WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Otr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENE	14	20N	8W	LEWIS AND CLARK
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	INSTREAM					
2		SESESE	11	20N	8W	LEWIS AND CLARK
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	INSTREAM					
3		NWNWNW	13	20N	8W	LEWIS AND CLARK
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	INSTREAM					
4		SWSWSW	12	20N	8W	LEWIS AND CLARK
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	INSTREAM					

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENENE	14	20N	8W	LEWIS AND CLARK
2			SWSWSW	12	20N	8W	LEWIS AND CLARK
3			SESESE	11	20N	8W	LEWIS AND CLARK
4			NWNWNW	13	20N	8W	LEWIS AND CLARK

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

Water Right Number: 41K 96167-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

JOHN R COBB
PO BOX 388
AUGUSTA, MT 59410-0388

COBB & COBB LLC
PO BOX 348
AUGUSTA, MT 59410-0348

HOWE-COBB, MICHAELA SARAH HAMILTON TRUST
PO BOX 289
AUGUSTA, MT 59410-0289

HOWE-COBB, MORGAN HELEN WORTHINGTON TRUST
MORGAN HELEN WORTHINGTON HOWE-COBB TRUSTEE
14970 DARK STAR CT
MORGAN HILL, CA 95037-6011

Priority Date: JUNE 1, 1895

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.00 CFS

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

Climatic Area: 5 - LOW

***Maximum Acres:** 25.00

Source Name: WILLOW CREEK, NORTH FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWSW	2	20N	8W	LEWIS AND CLARK

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 1

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	25.00		S2NW	2	20N	8W	LEWIS AND CLARK

Total: 25.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

96158-00

96167-00

96176-00

96178-00

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

Water Right Number: 41K 96170-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

JOHN R COBB
PO BOX 388
AUGUSTA, MT 59410-0388

COBB & COBB LLC
PO BOX 348
AUGUSTA, MT 59410-0348

HOWE-COBB, MICHAELA SARAH HAMILTON TRUST
PO BOX 289
AUGUSTA, MT 59410-0289

HOWE-COBB, MORGAN HELEN WORTHINGTON TRUST
MORGAN HELEN WORTHINGTON HOWE-COBB TRUSTEE
14970 DARK STAR CT
MORGAN HILL, CA 95037-6011

Priority Date: MAY 16, 1892

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.00 CFS

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

Climatic Area: 5 - LOW

***Maximum Acres:** 40.00

Source Name: UNNAMED TRIBUTARY OF WILLOW 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		SESESE	22	20N	8W	LEWIS AND CLARK

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: HEADGATE

2		NWSWNE	23	20N	8W	LEWIS AND CLARK
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Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: HEADGATE

Ditch Name: COBB DITCH

Period of Use: MAY 1 TO OCTOBER 1

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	35.00		SW	23	20N	8W	LEWIS AND CLARK
2	5.00		E2SESE	22	20N	8W	LEWIS AND CLARK
Total:	40.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

95844-00	95848-00	95849-00	95891-00	95893-00	95895-00
95896-00	95897-00	95899-00	95900-00	95935-00	95942-00
96015-00	96049-00	96168-00	96170-00	96172-00	96177-00
96206-00					

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

Water Right Number: 41K 96171-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

JOHN R COBB
PO BOX 388
AUGUSTA, MT 59410-0388

COBB & COBB LLC
PO BOX 348
AUGUSTA, MT 59410-0348

HOWE-COBB, MICHAELA SARAH HAMILTON TRUST
PO BOX 289
AUGUSTA, MT 59410-0289

HOWE-COBB, MORGAN HELEN WORTHINGTON TRUST
MORGAN HELEN WORTHINGTON HOWE-COBB TRUSTEE
14970 DARK STAR CT
MORGAN HILL, CA 95037-6011

Priority Date: APRIL 15, 1884

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 306.00 GPM

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

Climatic Area: 5 - LOW

***Maximum Acres:** 18.00

Source Name: WILLOW 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		SE	25	20N	9W	LEWIS AND CLARK

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 1

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	18.00		N2SW	25	20N	9W	LEWIS AND CLARK

Total: 18.00

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

Water Right Number: 41K 96172-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

JOHN R COBB
PO BOX 388
AUGUSTA, MT 59410-0388

COBB & COBB LLC
PO BOX 348
AUGUSTA, MT 59410-0348

HOWE-COBB, MICHAELA SARAH HAMILTON TRUST
PO BOX 289
AUGUSTA, MT 59410-0289

HOWE-COBB, MORGAN HELEN WORTHINGTON TRUST
MORGAN HELEN WORTHINGTON HOWE-COBB TRUSTEE
14970 DARK STAR CT
MORGAN HILL, CA 95037-6011

Priority Date: DECEMBER 31, 1947

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

***Volume:** 400.00 AC-FT

Climatic Area: 5 - LOW

***Maximum Acres:** 184.00

Source Name: UNNAMED TRIBUTARY OF WILLOW CREEK (ANDERSON LAKE)

Source Type: SURFACE WATER

THE SOURCE INCLUDES UNNAMED TRIBUTARIES OF WILLOW CREEK (ANDERSON LAKE).

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	23	20N	8W	LEWIS AND CLARK

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: DAM

Reservoir: ONSTREAM **Reservoir Name:** ANDERSON LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWSWNE	23	20N	8W	LEWIS AND CLARK

Diversion to Reservoir: DIVERSION # 1

Dam Height: 11.00 FEET
Depth: 14.00 FEET
Surface Area: 84.18 ACRES
Capacity: 370.39 ACRE-FEET

THE CAPACITY, DAM HEIGHT, MAXIMUM DEPTH AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

Period of Use: MAY 1 TO OCTOBER 1

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		N2SWSE	14	20N	8W	LEWIS AND CLARK
2	7.00		SWSWSE	14	20N	8W	LEWIS AND CLARK
3	6.00		E2NESW	14	20N	8W	LEWIS AND CLARK
4	5.00		NWNWNE	23	20N	8W	LEWIS AND CLARK
5	5.00		NENENW	23	20N	8W	LEWIS AND CLARK
6	19.00		S2NWSE	14	20N	8W	LEWIS AND CLARK
7	7.00		NWSESE	14	20N	8W	LEWIS AND CLARK
8	38.00		NESE	14	20N	8W	LEWIS AND CLARK
9	28.00		NWSW	13	20N	8W	LEWIS AND CLARK
10	10.00		W2NESW	13	20N	8W	LEWIS AND CLARK
11	5.00		SWSWNW	13	20N	8W	LEWIS AND CLARK
12	5.00		SESWNW	13	20N	8W	LEWIS AND CLARK
13	1.00		W2NWNE	13	20N	8W	LEWIS AND CLARK
14	18.00		W2SWSE	12	20N	8W	LEWIS AND CLARK
15	10.00		SWSWSW	13	20N	8W	LEWIS AND CLARK
Total:	<u>184.00</u>						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

95844-00	95848-00	95849-00	95891-00	95893-00	95895-00
95896-00	95897-00	95899-00	95900-00	95935-00	95942-00
96015-00	96049-00	96168-00	96170-00	96172-00	96177-00
96206-00					

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

Water Right Number: 41K 96173-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

JOHN R COBB
PO BOX 388
AUGUSTA, MT 59410-0388

COBB & COBB LLC
PO BOX 348
AUGUSTA, MT 59410-0348

HOWE-COBB, MICHAELA SARAH HAMILTON TRUST
PO BOX 289
AUGUSTA, MT 59410-0289

HOWE-COBB, MORGAN HELEN WORTHINGTON TRUST
MORGAN HELEN WORTHINGTON HOWE-COBB TRUSTEE
14970 DARK STAR CT
MORGAN HILL, CA 95037-6011

Priority Date: JUNE 1, 1888

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 4.00 CFS

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

Climatic Area: 5 - LOW

***Maximum Acres:** 25.00

***Source Name:** FORD 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		SWSENW	6	19N	8W	LEWIS AND CLARK

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: HEADGATE

Ditch Name: FORD-BEACH DITCH

Period of Use: MAY 1 TO OCTOBER 1

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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1	<u>25.00</u>	W2SE	31	20N	8W	LEWIS AND CLARK
Total:	25.00					

THE PLACE OF USE FOR THIS WATER RIGHT IS 25.00 ACRES WITHIN A 42.00 ACRE PARCEL. DUE TO CHANGES IN THE STREAM CHANNELS, THE PLACE OF USE CAN VARY FROM YEAR TO YEAR WITHIN THE PARCEL. SEE CLAIM FILE FOR MORE INFORMATION.

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

96132-00 96133-00 96134-00 96173-00

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

Water Right Number: 41K 96174-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

JOHN R COBB
PO BOX 388
AUGUSTA, MT 59410-0388

COBB & COBB LLC
PO BOX 348
AUGUSTA, MT 59410-0348

HOWE-COBB, MICHAELA SARAH HAMILTON TRUST
PO BOX 289
AUGUSTA, MT 59410-0289

HOWE-COBB, MORGAN HELEN WORTHINGTON TRUST
MORGAN HELEN WORTHINGTON HOWE-COBB TRUSTEE
14970 DARK STAR CT
MORGAN HILL, CA 95037-6011

Priority Date: AUGUST 12, 1903

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 148.10 GPM

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

Climatic Area: 5 - LOW

***Maximum Acres:** 23.00

***Source Name:** SPRING, UNNAMED TRIBUTARY OF EDDIE CREEK

Source Type: SURFACE WATER

SPRING HYDROLOGICALLY RELATED TO SOURCE.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSENE	33	21N	8W	LEWIS AND CLARK

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 1

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	23.00		S2NE	33	21N	8W	LEWIS AND CLARK
Total:	<u>23.00</u>						

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

Water Right Number: 41K 96176-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

JOHN R COBB
PO BOX 388
AUGUSTA, MT 59410-0388

COBB & COBB LLC
PO BOX 348
AUGUSTA, MT 59410-0348

HOWE-COBB, MICHAELA SARAH HAMILTON TRUST
PO BOX 289
AUGUSTA, MT 59410-0289

HOWE-COBB, MORGAN HELEN WORTHINGTON TRUST
MORGAN HELEN WORTHINGTON HOWE-COBB TRUSTEE
14970 DARK STAR CT
MORGAN HILL, CA 95037-6011

Priority Date: JUNE 1, 1894

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 148.10 GPM

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

Climatic Area: 5 - LOW

***Maximum Acres:** 6.00

Source Name: CUTROCK 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		NENWSW	2	20N	8W	LEWIS AND CLARK

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 1

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	6.00		N2NWSW	2	20N	8W	LEWIS AND CLARK

Total: 6.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

96158-00

96167-00

96176-00

96178-00

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

Water Right Number: 41K 96178-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

JOHN R COBB
PO BOX 388
AUGUSTA, MT 59410-0388

COBB & COBB LLC
PO BOX 348
AUGUSTA, MT 59410-0348

HOWE-COBB, MICHAELA SARAH HAMILTON TRUST
PO BOX 289
AUGUSTA, MT 59410-0289

HOWE-COBB, MORGAN HELEN WORTHINGTON TRUST
MORGAN HELEN WORTHINGTON HOWE-COBB TRUSTEE
14970 DARK STAR CT
MORGAN HILL, CA 95037-6011

Priority Date: JUNE 1, 1891

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.00 CFS

Volume: 23.67 AC-FT

Climatic Area: 5 - LOW

Maximum Acres: 53.00

***Source Name:** ROSE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSE	27	21N	8W	LEWIS AND CLARK

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: HEADGATE

Reservoir: OFFSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SESWSE	27	21N	8W	LEWIS AND CLARK

Diversion to Reservoir: DIVERSION # 1

Dam Height: 11.00 FEET
Depth: 8.00 FEET
Surface Area: 2.96 ACRES
Capacity: 9.47 ACRE-FEET

THE CAPACITY, DAM HEIGHT, MAXIMUM DEPTH AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

Period of Use: MAY 1 TO OCTOBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	6.00		SENW	35	21N	8W	LEWIS AND CLARK
2	14.00		SWNE	35	21N	8W	LEWIS AND CLARK
3	13.00		NWSE	35	21N	8W	LEWIS AND CLARK
4	4.00		NESW	35	21N	8W	LEWIS AND CLARK
5	16.00		SWSE	35	21N	8W	LEWIS AND CLARK
Total:	53.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

96158-00 96167-00 96176-00 96178-00

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

Water Right Number: 41K 96194-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

JOHN R COBB
PO BOX 388
AUGUSTA, MT 59410-0388

COBB & COBB LLC
PO BOX 348
AUGUSTA, MT 59410-0348

HOWE-COBB, MICHAELA SARAH HAMILTON TRUST
PO BOX 289
AUGUSTA, MT 59410-0289

HOWE-COBB, MORGAN HELEN WORTHINGTON TRUST
MORGAN HELEN WORTHINGTON HOWE-COBB TRUSTEE
14970 DARK STAR CT
MORGAN HILL, CA 95037-6011

***Priority Date:** JANUARY 1, 1868

Type of Historical Right: USE

Purpose (Use): STOCK

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

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

***Source Name:** WILLOW 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		E2SE	25	20N	9W	LEWIS AND CLARK
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2			30	20N	8W	LEWIS AND CLARK
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		NWNWNW	29	20N	8W	LEWIS AND CLARK
Period of Diversion:	JANUARY 1 TO DECEMBER 31					

Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4	S2S2	20	20N	8W	LEWIS AND CLARK	
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
5	NENW	29	20N	8W	LEWIS AND CLARK	
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
6	S2	21	20N	8W	LEWIS AND CLARK	
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
7	SENE	21	20N	8W	LEWIS AND CLARK	
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
8	NW	22	20N	8W	LEWIS AND CLARK	
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
9	SW	15	20N	8W	LEWIS AND CLARK	
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
10	E2SE	15	20N	8W	LEWIS AND CLARK	
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
11	S2SENE	14	20N	8W	LEWIS AND CLARK	
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
12	SE	14	20N	8W	LEWIS AND CLARK	
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
13	N2SW	14	20N	8W	LEWIS AND CLARK	
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
14	SESW	14	20N	8W	LEWIS AND CLARK	
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
15	W2	13	20N	8W	LEWIS AND CLARK	
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
16	E2SW	12	20N	8W	LEWIS AND CLARK	
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
17	W2SE	12	20N	8W	LEWIS AND CLARK	
Period of Diversion:	JANUARY 1 TO DECEMBER 31					

Diversion Means: LIVESTOCK DIRECT FROM SOURCE
18 NENESW 25 20N 9W LEWIS AND CLARK

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2SE	25	20N	9W	LEWIS AND CLARK
2				30	20N	8W	LEWIS AND CLARK
3			NWNWNW	29	20N	8W	LEWIS AND CLARK
4			S2S2	20	20N	8W	LEWIS AND CLARK
5			NENW	29	20N	8W	LEWIS AND CLARK
6			S2	21	20N	8W	LEWIS AND CLARK
7			SENE	21	20N	8W	LEWIS AND CLARK
8			NW	22	20N	8W	LEWIS AND CLARK
9			SW	15	20N	8W	LEWIS AND CLARK
10			E2SE	15	20N	8W	LEWIS AND CLARK
11			S2SENE	14	20N	8W	LEWIS AND CLARK
12			SE	14	20N	8W	LEWIS AND CLARK
13			N2SW	14	20N	8W	LEWIS AND CLARK
14			SESW	14	20N	8W	LEWIS AND CLARK
15			W2	13	20N	8W	LEWIS AND CLARK
16			E2SE	12	19N	8W	LEWIS AND CLARK
17			W2SE	12	20N	8W	LEWIS AND CLARK
18			NENESW	25	20N	9W	LEWIS AND CLARK

Remarks:

IMPLIED CLAIM NO. 41K 216290-00 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

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

Water Right Number: 41K 96205-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

JOHN R COBB
PO BOX 388
AUGUSTA, MT 59410-0388

COBB & COBB LLC
PO BOX 348
AUGUSTA, MT 59410-0348

HOWE-COBB, MICHAELA SARAH HAMILTON TRUST
PO BOX 289
AUGUSTA, MT 59410-0289

HOWE-COBB, MORGAN HELEN WORTHINGTON TRUST
MORGAN HELEN WORTHINGTON HOWE-COBB TRUSTEE
14970 DARK STAR CT
MORGAN HILL, CA 95037-6011

Priority Date: APRIL 30, 1880

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.90 CFS

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

Climatic Area: 5 - LOW

***Maximum Acres:** 184.00

Source Name: WILLOW 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		NWSWSW	14	20N	8W	LEWIS AND CLARK

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 1

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		N2SWSE	14	20N	8W	LEWIS AND CLARK
2	7.00		SWSWSE	14	20N	8W	LEWIS AND CLARK
3	6.00		E2NESW	14	20N	8W	LEWIS AND CLARK

4	5.00	NWNWNE	23	20N	8W	LEWIS AND CLARK
5	5.00	NENENW	23	20N	8W	LEWIS AND CLARK
6	19.00	S2NWSE	14	20N	8W	LEWIS AND CLARK
7	7.00	NWSESE	14	20N	8W	LEWIS AND CLARK
8	38.00	NESE	14	20N	8W	LEWIS AND CLARK
9	28.00	NWSW	13	20N	8W	LEWIS AND CLARK
10	10.00	W2NESW	13	20N	8W	LEWIS AND CLARK
11	5.00	SWSWNW	13	20N	8W	LEWIS AND CLARK
12	5.00	SESWNW	13	20N	8W	LEWIS AND CLARK
13	1.00	W2NWNE	13	20N	8W	LEWIS AND CLARK
14	18.00	W2SWSE	12	20N	8W	LEWIS AND CLARK
15	10.00	SWSWSW	13	20N	8W	LEWIS AND CLARK
Total:	<u>184.00</u>					

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

96205-00

96206-00

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

Water Right Number: 41K 96206-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

JOHN R COBB
PO BOX 388
AUGUSTA, MT 59410-0388

COBB & COBB LLC
PO BOX 348
AUGUSTA, MT 59410-0348

HOWE-COBB, MICHAELA SARAH HAMILTON TRUST
PO BOX 289
AUGUSTA, MT 59410-0289

HOWE-COBB, MORGAN HELEN WORTHINGTON TRUST
MORGAN HELEN WORTHINGTON HOWE-COBB TRUSTEE
14970 DARK STAR CT
MORGAN HILL, CA 95037-6011

Priority Date: MAY 29, 1884

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.50 CFS

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

Climatic Area: 5 - LOW

***Maximum Acres:** 184.00

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

Source Name: UNNAMED TRIBUTARY OF WILLOW CREEK (ANDERSON LAKE)

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		NWSWSW	14	20N	8W	LEWIS AND CLARK

Source Name: WILLOW CREEK

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: HEADGATE

2		SWNESW	14	20N	8W	LEWIS AND CLARK
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Source Name: WILLOW CREEK

Period of Diversion: MAY 1 TO OCTOBER 1
Diversion Means: HEADGATE
 3 NWSWNE 23 20N 8W LEWIS AND CLARK
Source Name: UNNAMED TRIBUTARY OF WILLOW CREEK (ANDERSON LAKE)
Period of Diversion: MAY 1 TO OCTOBER 1
Diversion Means: HEADGATE
Ditch Name: COBB DITCH
Reservoir: OFFSTREAM **Reservoir Name:** ANDERSON LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWSWNE	23	20N	8W	LEWIS AND CLARK

Diversion to Reservoir: DIVERSION # 3

Dam Height: 14.00 FEET
Depth: 11.00 FEET
Surface Area: 84.18 ACRES
Capacity: 370.39 ACRE-FEET

THE CAPACITY, DAM HEIGHT, MAXIMUM DEPTH AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

Period of Use: MAY 1 TO OCTOBER 1

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		N2SWSE	14	20N	8W	LEWIS AND CLARK
2	7.00		SWSWSE	14	20N	8W	LEWIS AND CLARK
3	6.00		E2NESW	14	20N	8W	LEWIS AND CLARK
4	5.00		NWNWNE	23	20N	8W	LEWIS AND CLARK
5	5.00		NENENW	23	20N	8W	LEWIS AND CLARK
6	19.00		S2NWSE	14	20N	8W	LEWIS AND CLARK
7	7.00		NWSESE	14	20N	8W	LEWIS AND CLARK
8	38.00		NESE	14	20N	8W	LEWIS AND CLARK
9	28.00		NWSW	13	20N	8W	LEWIS AND CLARK
10	10.00		W2NESW	13	20N	8W	LEWIS AND CLARK
11	5.00		SWSWNW	13	20N	8W	LEWIS AND CLARK
12	5.00		SESWNW	13	20N	8W	LEWIS AND CLARK
13	1.00		W2NWNE	13	20N	8W	LEWIS AND CLARK
14	18.00		W2SWSE	12	20N	8W	LEWIS AND CLARK
15	10.00		SWSWSW	13	20N	8W	LEWIS AND CLARK
Total:	<u>184.00</u>						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

95844-00	95848-00	95849-00	95891-00	95893-00	95895-00
95896-00	95897-00	95899-00	95900-00	95935-00	95942-00
96015-00	96049-00	96168-00	96170-00	96172-00	96177-00
96206-00					

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

96205-00	96206-00
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