

IN THE WATER COURT OF THE STATE OF MONTANA
YELLOWSTONE DIVISION
SWEET GRASS - BASIN (43BV)

CLAIMANTS: Cremer Rodeo Land & Livestock Co.; JC Cattle
Inc.

OBJECTOR: Cremer Rodeo Land & Livestock Co.; Langford,
Greg H.; Langford, Vickie L.; United States of
America, DOI, Bureau of Reclamation

NOTICE OF INTENT TO APPEAR: Crazy Not To, LLC

CASE 43BV-0230-R-2024

43BV 136294-00
43BV 150275-00
43BV 150284-00
43BV 150304-00
43BV 150307-00
43BV 150316-00
43BV 150318-00
43BV 150319-00
43BV 150329-00
43BV 150332-00

CLOSING ORDER

BACKGROUND FACTS

General

1. This case addresses objections and issue remarks for ten water right claims in Basin 43BV, the Sweet Grass Creek Basin. Five of the claims are for stock water use and five are for irrigation use. Sweet Grass Creek is the water source for all ten claims.¹

2. Cremer Rodeo Land & Livestock Co. (“Cremer”) owns all of the claims except claim 43BV 136294-00 which is owned by JC Cattle Inc. (“JC Cattle”).

¹ This case previously also included claims 43BV 150303-00 and 43BV 150321-00, but they have been reconsolidated into case 43BV-0237-R-2025 based on an unresolved objection.

3. On April 6, 1906, the State District Court for Sweet Grass County entered a water rights decree in the case *W.A. Harrison et al. v. Paul L. Van Cleve et al.* (Case 342, Mont. Sixth Jud. Dist., Sweet Grass County) (“*Sweet Grass Creek Decree*”). The *Sweet Grass Creek Decree* decreed and tabulated rights to use water from Sweet Grass Creek and several tributaries.

4. On July 11, 2019, Cremer filed a motion to amend many of its claims. The gist of the motion was Cremer’s request that the Court modify the claims by undoing the marshaled points of diversion and places of use. All of the claims in this case were part of that motion. On October 1, 2019, the Court granted the motion in part in a Final Order on Motion to Amend in Case 43BV-6014-A-2019. The Order reduced the number of points of diversion for the claims, so they are specific to each claim rather than marshaled across all claims. The preliminary decree abstracts for the amended claims include the following information remark that references the Order:

THIS WATER RIGHT WAS AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-22-(6), MCA. THE ORDER ADDRESSING THE MOTION TO AMEND WAS FILED IN WATER COURT CASE 43BV-6014-A-2019 PRIOR TO THE ISSUANCE OF THE PRELIMINARY DECREE.

5. On May 27, 2021, the Water Court issued the Basin 43BV Preliminary Decree. The Preliminary Decree included abstracts for all the claims in this case. As described in the Basin 43BV Preliminary Decree, the pertinent elements and claim types² are as follows (in order of priority):

Claim	Priority	Flow	Use	Type
43BV 150304-00	July 1, 1886	Narrative ³	Stock	Decreed
43BV 150329-00	July 1, 1886	6.25 cfs	Irrigation	Decreed
43BV 136294-00	June 1, 1887	Narrative	Stock	Decreed
43BV 150316-00	June 1, 1887	2.5 cfs	Irrigation	Decreed

² For purposes of adjudicating claims, the term “type” describes “the historical basis of an existing water right.” Rule 2(a)(70), W.R.C.E.R., incorporated by Rule 2(b), W.R.Adj.R.

³ For purposes of this Order, the term “narrative” means the flow rate for the stock claims is not expressed numerically, but rather is described as: “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.” See Rule 24(b), W.R.C.E.R.

43BV 150284-00	April 1, 1888	Narrative	Stock	Decreed
43BV 150319-00	April 1, 1888	10.0 cfs	Irrigation	Decreed
43BV 150307-00	April 1, 1888	Narrative	Stock	Decreed
43BV 150332-00	April 1, 1888	17.5 cfs	Irrigation	Decreed
43BV 150275-00	June 25, 1888	Narrative	Stock	Decreed
43BV 150318-00	June 25, 1888	8.75 cfs	Irrigation	Decreed

6. The abstract for all of the stock claims except claim 43 BV 136294-00 include the following two issue remarks:

THE POINTS OF DIVERSION APPEAR TO BE INCORRECT. SEE CLAIM FILE FOR ADDITIONAL INFORMATION.

RESERVOIR RECORD WAS MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

7. The abstract for claim 43 BV 136294-00 includes the point of diversion issue remark, but does not include the reservoir record remark.

8. The abstracts for all of the irrigation claims also include the point of diversion remark and the following additional remark:

DITCH NAME AND RESERVOIR RECORD WERE MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

9. The claims in this case were decreed with one or more of the following points of diversion that reflect what the Court ordered in the motion to amend in Case 43BV-6014-A-2019. The Court also amended the points of diversion for the companion stock claims, but they were described in the Preliminary Decree without ditch names even though the legal descriptions match those of their companion irrigation claims.

10. The United States of American, Bureau of Reclamation (“United States”) filed objections to the irrigation claims. Cremer filed self-objections to each of the claims. Cremer owned claim 43BV 136294-00 during the objection period.

Case Proceedings and Filings

11. In addition to the objections filed by the United States, notices of intent to appear (“NOIA”) were filed by J Bar L Ranches LLC, and Crazy Not To, LLC. J Bar L later withdrew its NOIAs.

12. On August 5, 2024, the Court put this case on a hearing track and issued a Hearing Track Scheduling Order. The Order called for motions by January 10, 2025, and set a January 24, 2025 mediation deadline.

13. On November 1, 2024, the United States filed a stipulation (“Stipulation”) also executed by counsel for Cremer and JC Counsel. The Stipulation resolves the United States objections to claims 43BV 150316-00, 43BV 150318-00, 43BV 150319-00, 43BV 150329-00, and 43BV 150332-00 by requesting that the periods of use and periods of diversion be reduced to April 15 to October 15.⁴ The Stipulation references the period use standards applicable to Climactic Area III.

14. On December 13, 2024, Cremer filed a motion in the form of a “Proposal to Resolve Issues and Objections on Remaining Claims.” The motion explains Cremer’s agreement that the Court’s order on the motion to amend resolves all Cremer’s objections. Cremer included with the motion marked abstracts that modify the periods of use and diversion to match those stipulated to for the irrigation claims. No one responded to Cremer’s motion.

DISCUSSION

A. *United States Objections.*

Settlement stipulations are contracts setting the terms that parties agree to resolve objections. A settlement stipulation may include a claimant’s legally binding commitment to modify claims to resolve objections and issue remarks, and an objector’s

⁴ The Stipulation also addresses the United States objection to claim 43BV 150321-00.

agreement to withdraw objections conditioned upon the Court's acceptance of the claim modifications. In determining whether to accept claim modifications proposed in the stipulation, the Court applies Rule 17, W.R.Adj.R. Under Rule 17(a), settlement stipulations are subject to Water Court review and approval when they resolve issues within the Court's jurisdiction. *See also*, § 85-2-233(5)(b), MCA. The evidentiary standard is relaxed as to terms when a settlement stipulation proposes to reduce an element of a water right claim. Rule 17(c), W.R.Adj.R.

The Stipulation meets this standard because it proposes to reduce the periods of use and diversion for the irrigation claims. Nothing further is required to resolve the United States' objections to the irrigation claims.

B. Issue Remark Resolution and Information Remark Modifications.

Other than the United States, no one objected to any of the claims in this case, nor did Cremer or any successor to Cremer file evidence or a motion to resolve the issue remarks. In this situation, the Water Use Act instructs the Water Court to "review each factual or legal issue remark not resolved as a result of the filing of an objection to determine if information in the claim file or information obtained by the court provides a sufficient basis to resolve the identified issue remark or to determine if the issue remark can be corrected as a clerical error." Section 85-2-248(3), MCA. As to the claims in this case, there is sufficient information in the claim files, when viewed in light of the Court's order on Cremer's motion to amend.

The remaining issue remarks on the rest of the claims pertain to points of diversion and reservoir records. The remarks are relics from when the claims were marshaled together with common points of diversion across all claims. The motion to amend information remark provided notice to potentially interested parties that the claims had been modified to specific points of diversion. No other party objected, nor did Cremer. To avoid future confusion as to the effect of the multiple use remarks, the Court modifies the stock claims so they include the same ditch names as the irrigation claims, and makes the additional modifications noted to align the descriptions with the motion to amend and the multiple use remark. The Court did not make these modifications as to claims 43BV

136294-00 and 43BV 150316-00 because Cremer did not provide the clarification, but there are not unresolved issue remarks or objections to these multiple use claims. As Cremer requests, the Court also modifies the periods of use and diversion for the stock claims.

As to the information remarks, the Court also removes the motion to amend information remark as it has served its notice purpose. The irrigation claims include information remarks referencing change authorizations issued by the DNRC. These remarks should remain because they put parties on notice of the change. However, they are modified to delete the due date for a notice of completion because it references a date from more than twenty years ago. The Court also removes the period of diversion information remark.

ORDER

Therefore, it is ORDERED:

1. The Stipulation is APPROVED and resolves the United States' objections.
2. The claims are modified as provided in this Order, with all issue remarks removed, and the information remarks removed or modified as specified.

Post-decree abstracts of the claims are included with this Order to confirm the modifications have been made in the State's centralized water rights record system.

ELECTRONICALLY SIGNED AND DATED BELOW.

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90 Franklin Lane
Melville, MT 59055-8923

Service Via Electronic Mail:

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**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SWEET GRASS CREEK
BASIN 43BV**

Water Right Number: 43BV 136294-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: JC CATTLE INC
90 FRANKLIN LANE
MELVILLE, MT 59055-8923

Priority Date: JUNE 1, 1887

Type of Historical Right: DECREED

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 WATER 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:** SWEET GRASS 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		NESENE	32	5N	14E	SWEET GRASS

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: MULTIPLE

2		SWNESW	5	4N	14E	SWEET GRASS
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Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: MULTIPLE

Period of Use: APRIL 15 TO OCTOBER 15

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SW	6	3N	16E	SWEET GRASS
2				7	3N	16E	SWEET GRASS
3			W2W2	8	3N	16E	SWEET GRASS
4			W2W2	17	3N	16E	SWEET GRASS
5			E2E2	18	3N	16E	SWEET GRASS
6			NW	20	3N	16E	SWEET GRASS
7			N2	24	4N	14E	SWEET GRASS
8			W2	23	4N	14E	SWEET GRASS
9				15	4N	14E	SWEET GRASS
10				14	4N	14E	SWEET GRASS

11	21	4N	14E	SWEET GRASS
12	22	4N	14E	SWEET GRASS
13	26	4N	14E	SWEET GRASS
14	25	4N	14E	SWEET GRASS

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

136294-00

150316-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SWEET GRASS CREEK
BASIN 43BV**

Water Right Number: 43BV 150275-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: CREMER RODEO LAND & LIVESTOCK CO
PO BOX 276
MELVILLE, MT 59055-0276

Priority Date: JUNE 25, 1888

Type of Historical Right: DECREED

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 WATER 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: SWEET GRASS 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		SWNESW	14	4N	14E	SWEET GRASS

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: DITCH

Ditch Name: SOUTH FRANKLIN DITCH

2		NENWSW	14	4N	14E	SWEET GRASS
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Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: DITCH

Ditch Name: NORTH FRANKLIN DITCH

Period of Use: APRIL 15 TO OCTOBER 15

***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			SE	14	4N	14E	SWEET GRASS
2			E2SW	14	4N	14E	SWEET GRASS
3			N2N2	23	4N	14E	SWEET GRASS
4			S2NE	23	4N	14E	SWEET GRASS
5			N2	24	4N	14E	SWEET GRASS
6			N2S2	24	4N	14E	SWEET GRASS
7			NW	19	4N	15E	SWEET GRASS

8 N2NWSW 19 4N 15E SWEET GRASS

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

150275-00

150318-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SWEET GRASS CREEK
BASIN 43BV**

Water Right Number: 43BV 150284-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: CREMER RODEO LAND & LIVESTOCK CO
PO BOX 276
MELVILLE, MT 59055-0276

Priority Date: APRIL 1, 1888

Type of Historical Right: DECREED

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 WATER 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: SWEET GRASS 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		NESWNE	9	4N	14E	SWEET GRASS

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: DITCH

Ditch Name: CREMER DITCH

2		NENWSW	14	4N	14E	SWEET GRASS
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Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: DITCH

Ditch Name: NORTH FRANKLIN DITCH

Period of Use: APRIL 15 TO OCTOBER 15

***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			SE	10	4N	14E	SWEET GRASS
2			S2	11	4N	14E	SWEET GRASS
3			W2	13	4N	14E	SWEET GRASS
4			NE	14	4N	14E	SWEET GRASS
5			NW	14	4N	14E	SWEET GRASS
6			SE	14	4N	14E	SWEET GRASS

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

150284-00

150332-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SWEET GRASS CREEK
BASIN 43BV**

Water Right Number: 43BV 150304-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: CREMER RODEO LAND & LIVESTOCK CO
PO BOX 276
MELVILLE, MT 59055-0276

Priority Date: JULY 1, 1886

Type of Historical Right: DECREED

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 WATER 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: SWEET GRASS 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		NESWNE	9	4N	14E	SWEET GRASS

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: DITCH

Ditch Name: CREMER DITCH

2		NENWSW	14	4N	14E	SWEET GRASS
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Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: DITCH

Ditch Name: NORTH FRANKLIN DITCH

Period of Use: APRIL 15 TO OCTOBER 15

***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			SE	10	4N	14E	SWEET GRASS
2			S2	11	4N	14E	SWEET GRASS
3			SWSW	12	4N	14E	SWEET GRASS
4			W2	13	4N	14E	SWEET GRASS
5			NENWSE	14	4N	14E	SWEET GRASS

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

150304-00

150329-00

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SWEET GRASS CREEK
BASIN 43BV**

Water Right Number: 43BV 150307-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: CREMER RODEO LAND & LIVESTOCK CO
PO BOX 276
MELVILLE, MT 59055-0276

Priority Date: APRIL 1, 1888

Type of Historical Right: DECREED

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 WATER 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: SWEET GRASS 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		SENENW	9	4N	14E	SWEET GRASS

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: DITCH

Ditch Name: CREMER DITCH

2		NENWSW	14	4N	14E	SWEET GRASS
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Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: DITCH

Ditch Name: NORTH FRANKLIN DITCH

Period of Use: APRIL 15 TO OCTOBER 15

***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			SE	10	4N	14E	SWEET GRASS
2			S2	11	4N	14E	SWEET GRASS
3			SWSW	12	4N	14E	SWEET GRASS
4			W2	13	4N	14E	SWEET GRASS
5			NE	14	4N	14E	SWEET GRASS
6			NW	14	4N	14E	SWEET GRASS
7			SE	14	4N	14E	SWEET GRASS

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

150307-00

150332-00

**POST DECREE
 ABSTRACT OF WATER RIGHT CLAIM
 SWEET GRASS CREEK
 BASIN 43BV**

Water Right Number: 43BV 150316-00 STATEMENT OF CLAIM

Version: 5 -- POST DECREE

Status: ACTIVE

Owners: CREMER RODEO LAND & LIVESTOCK CO
 PO BOX 276
 MELVILLE, MT 59055-0276

Priority Date: JUNE 1, 1887

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: 3 - MODERATE

***Maximum Acres:** 1,018.00

Source Name: SWEET GRASS 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		NESWNE	9	4N	14E	SWEET GRASS

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: CREMER DITCH

2		NENWSW	14	4N	14E	SWEET GRASS
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Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: NORTH FRANKLIN DITCH

Period of Use: APRIL 15 TO OCTOBER 15

***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	87.00		SE	10	4N	14E	SWEET GRASS
2	297.00		S2	11	4N	14E	SWEET GRASS
3	17.00		SWSW	12	4N	14E	SWEET GRASS
4	315.00		W2	13	4N	14E	SWEET GRASS
5	160.00		NE	14	4N	14E	SWEET GRASS
6	44.00		NW	14	4N	14E	SWEET GRASS
7	98.00		SE	14	4N	14E	SWEET GRASS

Total: 1018.00

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

136294-00

150316-00

AUTHORIZATION TO CHANGE THE POINT OF DIVERSION AND PLACE OF USE ISSUED 03/10/00. SEE 43BV-G (W)150309-00 .

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SWEET GRASS CREEK
BASIN 43BV**

Water Right Number: 43BV 150318-00 STATEMENT OF CLAIM

Version: 5 -- POST DECREE

Status: ACTIVE

Owners: CREMER RODEO LAND & LIVESTOCK CO
PO BOX 276
MELVILLE, MT 59055-0276

Priority Date: JUNE 25, 1888

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 8.75 CFS

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

Climatic Area: 3 - MODERATE

***Maximum Acres:** 575.00

Source Name: SWEET GRASS 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		SWNESW	14	4N	14E	SWEET GRASS

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: SOUTH FRANKLIN DITCH

2		NENWSW	14	4N	14E	SWEET GRASS
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Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: NORTH FRANKLIN DITCH

Period of Use: APRIL 15 TO OCTOBER 15

***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	29.00		SE	14	4N	14E	SWEET GRASS
2	14.00		E2SW	14	4N	14E	SWEET GRASS
3	80.00		N2	23	4N	14E	SWEET GRASS
4	26.00		S2NE	23	4N	14E	SWEET GRASS
5	293.00		N2	24	4N	14E	SWEET GRASS
6	44.00		SW	24	4N	14E	SWEET GRASS
7	81.00		NW	19	4N	15E	SWEET GRASS

8	<u>8.00</u>	N2NWSW	30	4N	15E	SWEET GRASS
Total:	575.00					

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

150275-00 150318-00

AUTHORIZATION TO CHANGE THE POINT OF DIVERSION AND PLACE OF USE ISSUED 03/10/2000. SEE 43BV-G (W)150309-00 .

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SWEET GRASS CREEK
BASIN 43BV**

Water Right Number: 43BV 150319-00 STATEMENT OF CLAIM

Version: 5 -- POST DECREE

Status: ACTIVE

Owners: CREMER RODEO LAND & LIVESTOCK CO
PO BOX 276
MELVILLE, MT 59055-0276

Priority Date: APRIL 1, 1888

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 10.00 CFS

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

Climatic Area: 3 - MODERATE

***Maximum Acres:** 1,018.00

Source Name: SWEET GRASS 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		NESWNE	9	4N	14E	SWEET GRASS

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: CREMER DITCH

2		NENWSW	14	4N	14E	SWEET GRASS
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Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: NORTH FRANKLIN DITCH

Period of Use: APRIL 15 TO OCTOBER 15

***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	87.00		SE	10	4N	14E	SWEET GRASS
2	297.00		S2	11	4N	14E	SWEET GRASS
3	17.00		SWSW	12	4N	14E	SWEET GRASS
4	315.00		W2	13	4N	14E	SWEET GRASS
5	160.00		NE	14	4N	14E	SWEET GRASS
6	44.00		NW	14	4N	14E	SWEET GRASS
7	98.00		SE	14	4N	14E	SWEET GRASS

Total: 1018.00

Remarks:

AUTHORIZATION TO CHANGE THE POINT OF DIVERSION AND PLACE OF USE ISSUED 03/10/00. SEE 43BV-G (W)150309-00 .

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SWEET GRASS CREEK
BASIN 43BV**

Water Right Number: 43BV 150329-00 STATEMENT OF CLAIM

Version: 5 -- POST DECREE

Status: ACTIVE

Owners: CREMER RODEO LAND & LIVESTOCK CO
PO BOX 276
MELVILLE, MT 59055-0276

Priority Date: JULY 1, 1886

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 6.25 CFS

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

Climatic Area: 3 - MODERATE

***Maximum Acres:** 1,018.00

Source Name: SWEET GRASS 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		NESWNE	9	4N	14E	SWEET GRASS

Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: CREMER DITCH

2		NENWSW	9	4N	14E	SWEET GRASS
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Period of Diversion: APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: NORTH FRANKLIN DITCH

Period of Use: APRIL 15 TO OCTOBER 15

***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	87.00		SE	10	4N	14E	SWEET GRASS
2	297.00		S2	11	4N	14E	SWEET GRASS
3	17.00		SWSW	12	4N	14E	SWEET GRASS
4	315.00		W2	13	4N	14E	SWEET GRASS
5	160.00		NE	14	4N	14E	SWEET GRASS
6	44.00		NW	14	4N	14E	SWEET GRASS
7	98.00		SE	14	4N	14E	SWEET GRASS

Total: 1018.00

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

150304-00

150329-00

AUTHORIZATION TO CHANGE THE POINT OF DIVERSION AND PLACE OF USE ISSUED 03/10/00. SEE 43BV-G (W)150309-00 .

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
SWEET GRASS CREEK
BASIN 43BV**

Water Right Number: 43BV 150332-00 STATEMENT OF CLAIM

Version: 5 -- POST DECREE

Status: ACTIVE

Owners: CREMER RODEO LAND & LIVESTOCK CO
PO BOX 276
MELVILLE, MT 59055-0276

Priority Date: APRIL 1, 1888

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 17.50 CFS

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

Climatic Area: 3 - MODERATE

***Maximum Acres:** 1,018.00

Source Name: SWEET GRASS 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		NESWNE	9	4N	14E	SWEET GRASS
Period of Diversion:	APRIL 15 TO OCTOBER 15					
Diversion Means:	HEADGATE					
Ditch Name:	CREMER DITCH					
2		NENWSW	14	4N	14E	SWEET GRASS
Period of Diversion:	APRIL 15 TO OCTOBER 15					
Diversion Means:	HEADGATE					
Ditch Name:	NORTH FRANKLIN DITCH					
Period of Use:	APRIL 15 TO OCTOBER 15					

***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	87.00		SE	10	4N	14E	SWEET GRASS
2	297.00		S2	11	4N	14E	SWEET GRASS
3	17.00		SWSW	12	4N	14E	SWEET GRASS
4	315.00		W2	13	4N	14E	SWEET GRASS
5	160.00		NE	14	4N	14E	SWEET GRASS
6	44.00		NW	14	4N	14E	SWEET GRASS
7	98.00		SE	14	4N	14E	SWEET GRASS
Total:	1018.00						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

150284-00 150332-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

150307-00 150332-00

AUTHORIZATION TO CHANGE THE POINT OF DIVERSION AND PLACE OF USE ISSUED 03/10/00. SEE 43BV-G (W)150309-00 .