

Montana Water Court  
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**FILED**  
03/20/2025  
Sara Calkins  
CLERK  
Montana Water Court  
STATE OF MONTANA  
By: D'Ann CIGLER  
41S-0621-R-2024  
Stern, Anika  
17.00

IN THE WATER COURT OF THE STATE OF MONTANA  
LOWER MISSOURI DIVISION  
JUDITH RIVER BASIN (41S)  
PRELIMINARY DECREE

\* \* \* \* \*

CLAIMANTS: Turner Ranch, Inc.; Cynthia T. Cecrle;  
Candace J. Turner; Cody D. Anderson  
and Ronald G. Peevey

NOTICE OF INTENT TO APPEAR: State of Montana  
Dept of Fish Wildlife & Parks

**CASE 41S-0621-R-2024**

41S 14623-00	41S 14627-00
41S 14624-00	41S 14628-00
41S 14625-00	41S 14631-00
41S 14626-00	41S 16496-00

**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**

### **FINDINGS OF FACT**

1. Turner Ranch, Inc. is the record owner of claims 41S 14623-00, 41S 14624-00, 41S 14625-00, 41S 14626-00, 41S 14627-00, 41S 14628-00, and 41S 14631-00. Cynthia T. Cecrle, Cody D. Anderson, Candace Turner, and Turner Ranch Inc. (the Claimants) are the record co-owners of claim 41S 16496-00.

2. Claims 41S 14623-00, 41S 14624-00, 41S 14625-00, 41S 14626-00, 41S 14627-00, 41S 14628-00, 41S 14631-00, and 41S 16496-00 were decreed with DNRC issue remarks:

**Claim 41S 14623-00:**

- FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
- THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY ( 1963 ) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
- USDA AERIAL PHOTOGRAPH NO(S). 30045-179-72 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
- THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE MAY BE QUESTIONABLE. DOCUMENTATION TO SUPPORT THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE WAS NOT SUBMITTED WITH THIS CLAIM.
- THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

**Claim 41S 14624-00:**

- FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
- THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY ( 1963 ) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
- USDA AERIAL PHOTOGRAPH NO(S). 30045-179-67 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
- THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

**Claims 41S 14625-00, 41S 14627-00, 41S 14630-00:**

- FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
- THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY ( 1963 ) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
- USDA AERIAL PHOTOGRAPH NO(S). 30045-179-72 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
- THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

**Claim 41S 14626-00:**

- FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
- THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY ( 1963 ) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
- USDA AERIAL PHOTOGRAPH NO(S). 30045-179-67 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
- THE POINT OF DIVERSION APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE NENESW SEC 21 TWP 13N RGE 15E JUDITH BASIN COUNTY.
- THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

**Claim 41S 14628-00:**

- FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
- THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY( 1963 )APPEARS TO INDICATE 21.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
- USDA AERIAL PHOTOGRAPH NO(S). 30045-179-72 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
- THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

**Claim 41S 14631-00:**

- FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
- THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY ( 1963 ) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
- USDA AERIAL PHOTOGRAPH NO(S). 30045-179-67 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
- THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE HEADGATE CANNOT BE IDENTIFIED FROM AVAILABLE DATA.
- THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

**Claim 41S 16496-00:**

- FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
- THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY ( 1963 ) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
- USDA AERIAL PHOTOGRAPH NO(S). 30045-179-72 , DATED 09/17/1979 , APPEARS TO INDICATE 12.60 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
- THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME EQUALS 63.46 TIMES THE CAPACITY OF THE RESERVOIR.
- THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.
- 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.
- THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

3. The State of Montana Department of Fish, Wildlife & Parks (DFWP) filed Notices of Intent to Appear for each of the above-captioned claims.<sup>1</sup>

4. On January 14, 2025, the parties filed a Memorandum to Resolve Issue Remarks addressing all the claims; an Amended Memorandum to Resolve Issue Remarks was filed on January 17, 2025. ((Docs.<sup>2</sup> 14.00 and 16.00) A Stipulation and Agreement addressing claim 41S 14624-00 was also filed on January 17, 2025; referencing the other

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<sup>1</sup> Claims 41S 14593-00 and 41S 14630-00 were initially consolidated in this Case and have been reconsolidated into Case 41S-1059-R-2025. DFWP did not file NOIAs to claims 41S 14593-00 and 41S 14630-00.

<sup>2</sup> “Doc.” numerical references correlate to case file docket numbers in the Water Court’s Full Court case management system.

claims, the Stipulation states that DFWP “consents to the recommended proposals for those claims.” *Stipulation*, pg. 2.

5. The Claimants provided an Affidavit from consultant Scott Irvin explaining that he reviewed water right files, aerial imagery, the Judith Basin County Water Resources Survey, and a ranch log (dated between July 8, 1970 to July 20, 1970) kept by original claimant and former owner of Turner Ranch, Ken Turner; Mr. Irvin also stated he conducted site inspections and consulted with the owners of Turner Ranch regarding water use practices. The Affidavit suggested corrections for claims in this Case. The Affidavit was attached to the January 14, 2025 Memorandum as “Exhibit A.” Proposed abstracts and maps were attached to Mr. Irvin’s Affidavit.

Additionally, “Exhibit B” is the Affidavit of Michael D. Cecerle, who is Kenneth Turner’s grandson. Mr. Cecerle presently does the farming on Turner Ranch, Inc. property and assisted his grandfather whenever possible.

6. **Claim 41S 14623-00:** Claim 41S 14623-00 was decreed as a “filed” right with a December 31, 1883 priority date. The Statement of Claim for 41S 14623-00 included a Notice of Appropriation (“1883 Bedford Notice”) along with additional evidence supporting the use of the claim beginning in 1883, including a General Land Office certificate and an Affidavit. The Notice of Appropriation does not appear to have been filed until at least 1919. It appears claim 41S 14623-00 would be more appropriately described as a December 31, 1883 “use” right.

Turner Ranch provided analysis of aerial images, claimant testimony, and ranch logs showing that claim 41S 14623-00 was mischaracterized as a flood irrigation claim when it was filed; the irrigation type should be modified to subirrigation.

Claim 41S 14623-00 was decreed with a 255.00 acres flood irrigated place of use (POU) in the E2, Section 11, Township 13 North, Range 15 East, Judith Basin County. Mr. Irvin identified 52.20 acres of subirrigation as historically irrigated. The parties agreed the flow rate should be modified consistent with the 17.00 gallon per minute guideline. Rule 14(b), W.R.C.E.R.

Based on available information and the agreement of the parties, the following modifications should be made to claim 41S 14623-00 to reflect the historical use of the claim:

Priority Date: DECEMBER 31, 1883  
 Type of Historical Right: FILED **USE**  
 Purpose (Use): IRRIGATION  
 Irrigation Type: FLOOD **SUBIRRIGATION**  
 Flow Rate: **1.98** 8.00-CFS  
 Maximum Acres: 266.00 **52.20**  
 Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	<b>52.20</b> 266.00		E2	11	13N	15E	JUDITH BASIN
<b>Total:</b>	<b>266.00</b> <b>52.20</b>						

7. **Claim 41S 14624-00:** The Stipulation filed by DFWP and the Claimants addresses claim 41S 14624-00. Based on the 1965 and 1968 aerial imagery, the parties agree the POU for claim 41S 14624-00 should be modified to 152.70 acres, consistent with historical use.<sup>3</sup> Additionally, the parties agreed that the flow rate should remain as decreed – 5.00 cubic feet per second. And the parties agreed to amend the quantified volume to a remark stating the volume should not exceed the historical and beneficial use.

Based on available information, and the agreement of the parties, the following modifications should be made to claim 41S 14624-00 to reflect the historical use of the claim:

Volume: 1,140.00 AC-FT **CMVI: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**  
 Climatic Area: 4 - MODERATELY LOW  
 Maximum Acres: 380.00 **152.70**  
 Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	<b>137.70</b> 238.00		E2	14	13N	15E	JUDITH BASIN
2	<b>15.00</b> 442.00	<b>E2E2NW</b>	E2W2	14	13N	15E	JUDITH BASIN
<b>Total:</b>	<b>380.00</b> <b>152.70</b>						

DFWP indicated that its NOIA will be withdrawn if the above-listed modifications are implemented for claim 41S 14624-00. *Stipulation* at 23.

<sup>3</sup> A disconnect exists between the *Stipulation and Agreement* for claim 41S 14624-00, filed on January 14, 2025 and the proposed abstract attached to the document, regarding the place of use. Email communications, initiated on March 18, 2025, between the parties and this Water Master, confirmed the place of use should reflect the proposed abstract.

Additionally, a remark should be added to claim 41S 14624-00 reflecting that the claim is subject to a private water right agreement; the remark includes a place holder for the addition of a record number from the Judith Basin County Clerk and Recorder to be added after the issuance of this Master's Report and before the filing of the order adopting the Master's Report.<sup>4</sup>

8. **Claims 41S 14625-00 and 41S 14627-00:** Claims 41S 14625-00 and 41S 14627-00 claim Ross Fork Creek surface water for use on the same POU, and using the same flow rate, as claim 41S 14623-00. Like claim 41S 14623-00, claim 41S 14625-00 and 41S 14627-00 should be modified as follows:

**Claim 41S 14625-00:**

Purpose (Use): IRRIGATION  
 Irrigation Type: FLOOD SUBIRRIGATION  
 Flow Rate: 1.98 7.50 CFS  
 Maximum Acres: 255.00 52.20  
 Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	52.20 255.00		E2	11	13N	15E	JUDITH BASIN
Total:	255.00 52.20						

**Claim 41S 14627-00:**

Purpose (Use): IRRIGATION  
 Irrigation Type: FLOOD SUBIRRIGATION  
 Flow Rate: 1.98 0.88 CFS  
 Maximum Acres: 255.00 52.20  
 Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	52.20 255.00		E2	11	13N	15E	JUDITH BASIN
Total:	255.00 52.20						

9. **Claims 41S 14626-00, 41S 14631-00, and 41S 16496-00:** The record indicates the Claimants wish to withdraw claims 41S 14626-00, 41S 14631-00, and 41S 16496-00.

10. **Claim 41S 14628-00:** Based on available information, particularly aerial imagery from 1952, 1957, 1968, and 1977, and the agreement of the parties, the following modifications should be made to claim 41S 14628-00, reflecting the historical use of the claim:

<sup>4</sup> The parties have indicated they will file an intermediary filing so that the record number can be added to an updated abstract per their agreement.

Maximum Acres:	25.00	21.00					
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	5.00		W2SWSW	12	13N	16E	JUDITH BASIN
2	21.00	20.00	E2E2SE	11	13N	15E	JUDITH BASIN
Total:	25.00	21.00					

## PRINCIPLES AND CONCLUSIONS OF LAW

1. The Water Court is required to address all issue remarks decreed on a claim as well as any objections the claim receives. Sections 85-2-233, 85-2-247, and 85-2-248, MCA.
2. A properly filed Statement of Claim for an existing water right is prima facie proof of its content. Section 85-2-227, MCA. This prima facie validity may be overcome by evidence showing that one or more elements of the claim are incorrect. This standard of proof applies to objectors or claimants objecting to their own water right claims. Rule 19, W.R.Adj.R., *Nelson v. Brooks*, 2014 MT 120; 375 Mont.86, 95; 329 P.3d 558, 564.
3. Settlement agreements are subject to review and approval of the Water Court. Rule 17(a), W.R.Adj.R. If a claimant agrees to reduce or limit an element of a claim, the water court may accept the claimant's requested reduction or limitation without further presentation of evidence, unless there is an unresolved issue remark on the claim, in which case § 85-2-248, MCA must be applied. Rule 17(c), W.R.Adj.R. The settlement documentation in this Case should be accepted by the Court.
4. Because the 1883 Bedford Notice of Appropriation was for a water right with a priority date of 1883. The 1883 Bedford Notice fell under the provisions of section 89-813, RCM, authorizing the filing of such notices. Notices filed within six months of the statute's publication in 1885 were given prima facie status pursuant to section 89-814, RCM; noncompliance resulted in a loss of prima facie status:

[A] failure to comply with the requirements of this section shall in nowise work a forfeiture of such heretofore acquired rights, or prevent any such claimant from establishing such rights in the courts.

Section 89-813, RCM, 1947. The 1883 Bedford Notice was not filed until at least 1919. Nevertheless, the 1883 Bedford Notice, along with the other attachments to the 41S 14623-00 Statement of Claim provides evidence of a use right.

5. The issue remarks decreed on claims in this Case indicating the “maximum combined acres for this group of supplemental claims may require modification...” is not relevant because supplemental rights remarks on claims no longer include a quantified acreage figure.

### RECOMMENDATIONS

1. Claims 41S 14623-00, 41S 14624-00, 41S 14625-00, 41S 14627-00, and 41S 14628-00, should be modified as described in the Findings of Facts. The issue remarks should be removed from the claims.

2. Claims 41S 14626-00, 41S 14631-00, and 41S 16496-00 should be dismissed.

3. The Notices of Intent to Appear filed for claims 41S 14623-00, 41S 14625-00, 41S 14626-00, 41S 14627-00, 41S 14628-00, 41S 14631-00, and 41S 16496-00 should be dismissed.

Abstracts are attached.

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

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

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POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JUDITH RIVER  
BASIN 41S

Water Right Number: 41S 14623-00 STATEMENT OF CLAIM  
Version: 4 -- POST DECREE  
Status: ACTIVE

Owners: TURNER RANCH INC  
616 TURNER LN  
MOORE, MT 59464-9203

Priority Date: DECEMBER 31, 1883

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: NATURAL SUBIRRIGATION

Flow Rate: 1.98 CFS

Volume: 768.00 AC-FT

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 52.20

Source Name: ROSS FORK 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		NENENW	23	13N	15E	FERGUS

Period of Diversion: APRIL 1 TO OCTOBER 15

Diversion Means: HEADGATE

Period of Use: APRIL 1 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	52.20		E2	11	13N	15E	JUDITH BASIN
Total:	52.20						

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.

14623-0014625-0014627-00

POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JUDITH RIVER  
BASIN 41S

Water Right Number: 41S 14624-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: TURNER RANCH INC  
616 TURNER LN  
MOORE, MT 59464-9203

Priority Date: APRIL 26, 1910

Type of Historical Right: FILED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 5.00 CFS

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

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 152.70

Source Name: ROSS FORK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENENW	23	13N	15E	FERGUS

\*Period of Diversion: APRIL 1 TO OCTOBER 15

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO OCTOBER 15

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	137.70		E2	14	13N	15E	JUDITH BASIN
2	15.00		E2E2NW	14	13N	15E	JUDITH BASIN
Total:	152.70						

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.

14624-00      14626-00      14631-00

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.

14602-00

14624-00

THIS WATER RIGHT IS SUBJECT TO A PRIVATE WATER AGREEMENT RECORDED IN JUDITH BASIN COUNTY,  
WITH A RECORD NUMBER OF .

POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JUDITH RIVER  
BASIN 41S

Water Right Number: 41S 14625-00 STATEMENT OF CLAIM  
Version: 4 -- POST DECREE  
Status: ACTIVE

Owners: TURNER RANCH INC  
616 TURNER LN  
MOORE, MT 59464-9203

Priority Date: APRIL 1, 1900

Type of Historical Right: FILED

Purpose (Use): IRRIGATION

Irrigation Type: NATURAL SUBIRRIGATION

Flow Rate: 1.98 CFS

Volume: 768.00 AC-FT

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 52.20

Source Name: ROSS FORK 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		NENENW	23	13N	15E	FERGUS

Period of Diversion: APRIL 1 TO OCTOBER 15

Diversion Means: HEADGATE

Period of Use: APRIL 1 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	52.20		E2	11	13N	15E	JUDITH BASIN
Total:	52.20						

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.

14623-0014625-0014627-00

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JUDITH RIVER  
BASIN 41S**

**Water Right Number:** 41S 14626-00 STATEMENT OF CLAIM

**Version:** 4 -- POST DECREE

**Status:** DISMISSED

**Owners:** TURNER RANCH INC  
616 TURNER LN  
MOORE, MT 59464-9203

**Priority Date:**

**Type of Historical Right:**

**Purpose (Use):** IRRIGATION

**Flow Rate:**

**Volume:**

**Source Name:** WEBER COULEE

**Source Type:** SURFACE WATER

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

**Period of Use:**

**Place of Use:**

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**Remarks:**

THIS CLAIM WAS DISMISSED BY ORDER OF THE WATER COURT.



**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JUDITH RIVER  
BASIN 41S**

**Water Right Number:** 41S 14628-00 STATEMENT OF CLAIM  
**Version:** 4 -- POST DECREE  
**Status:** ACTIVE

**Owners:** TURNER RANCH INC  
616 TURNER LN  
MOORE, MT 59464-9203

**Priority Date:** MAY 1, 1961

**Type of Historical Right:** USE

**Purpose (Use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 282.74 GPM

**Volume:** 60.00 AC-FT

**Climatic Area:** 4 - MODERATELY LOW

**Maximum Acres:** 21.00

**Source Name:** ROSS FORK 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		SWSWSW	12	13N	15E	JUDITH BASIN

**Period of Diversion:** APRIL 1 TO OCTOBER 15

**Diversion Means:** PUMP

**Period of Use:** APRIL 1 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	21.00		E2E2SE	11	13N	15E	JUDITH BASIN

**Total:** 21.00

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JUDITH RIVER  
BASIN 41S**

**Water Right Number:** 41S 14631-00 STATEMENT OF CLAIM

**Version:** 4 -- POST DECREE

**Status:** DISMISSED

**Owners:** TURNER RANCH INC  
616 TURNER LN  
MOORE, MT 59464-9203

**Priority Date:**

**Type of Historical Right:**

**Purpose (Use):** IRRIGATION

**Flow Rate:**

**Volume:**

**Source Name:** BIG COULEE

**Source Type:** SURFACE WATER

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

**Period of Use:**

**Place of Use:**

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**Remarks:**

THIS CLAIM WAS DISMISSED BY ORDER OF THE WATER COURT.



**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
JUDITH RIVER  
BASIN 41S**

**Water Right Number:**      **41S 16496-00**    STATEMENT OF CLAIM

**Version:**      4 -- POST DECREE

**Status:**      **DISMISSED**

**Owners:**

CODY D ANDERSON  
616 TURNER LN  
MOORE, MT 59464-9203

CYNTHIA T CECRLE  
5360 PIONEER RD  
MOCCASIN, MT 59462-9570

RONALD G PEEVEY  
PO BOX 207  
HOBSON, MT 59452-0207

CANDACE J TURNER  
616 TURNER LN  
MOORE, MT 59464-9203

TURNER RANCH INC  
616 TURNER LN  
MOORE, MT 59464-9203

**Priority Date:**

**Type of Historical Right:**

**Purpose (Use):**                      IRRIGATION

**Flow Rate:**

**Volume:**

**Source Name:**                      UNNAMED TRIBUTARY OF BIG COULEE

**Source Type:**                      SURFACE WATER

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

**Period of Use:**

**Place of Use:**

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**Remarks:**

THIS CLAIM WAS DISMISSED BY ORDER OF THE WATER COURT.