

Montana Water Court
PO Box 1389
Bozeman, MT 59771-1389
(406) 586-4364
1-800-624-3270
watercourt@mt.gov

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

CLAIMANTS: ~~Kevin D. Amberson; Michele Amberson;~~
Barbara B. Bunge; Stephen P. Bunge; ~~Alex W.~~
~~Dado; Suzanne M. Dado;~~ Jennifer W. Davies;
~~Sandi M. Decarli-Lennehan; Matthew T.~~
~~Lennehan;~~ Nanci A. Gardner Revocable Trust;
~~Jeff Gerbing; Wendy Gerbing; Charles D.~~
~~Hubbard; Jeanne G. Hubbard; Steven R.~~
~~Wolf;~~ Thomas W. Gardner Revocable Trust;
Donald J. Dinnell; Cheryl G. Dinnell; William
R. Lev; Jacqueline D. Lev; Timothy E.
Holtzclaw; Shari L. Holtzclaw

CASE 41F-0124-R-2024

41F 138558-00

Split Claims:

41F 30172077

41F 30172079

41F 30172110

41F 30172111

41F 30172115

NOTICE OF INTENT TO APPEAR: Devonna G. Owens Family
Trust

NOTICE OF FILING OF MASTER'S REPORT

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

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

service list must be filed with the Water Court.

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

MASTER'S REPORT
PROCEDURAL HISTORY

Irrigation claim 41F 138558-00 is currently owned by the above captioned claimants.

On July 11, 2025, the court issued an Order Setting Filing Deadline for the parties to review and comment upon three proposals before the court on how the prima facie 25.00 GPM flow rate and prima facie 35.00-acre place of use¹ identified by irrigation statement of claim 41F 138558-00 should be split. Nanci A. Gardner and Thomas W. Gardner, Trustees of their respective Revocable Trusts and Jennifer W. Davies filed comments.

FINDING OF FACT

Based upon the foregoing, irrigation claim 41F 138558-00 should be split as follows.

Parent Claim 41F 138558-00

OWNERS: Nanci A. Gardner Revocable Trust and Thomas W. Gardner Revocable Trust

FLOW RATE: 1.79 GPM

MAXIMUM ACRES: 2.50

PLACE OF USE:

<u>PARCEL 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	2.50		SESWNW	17	4S	1W	MADISON
TOTAL:	2.50						

Remarks: C.O.S. 7/2006FC, PARCEL 23-B, AKA SHINING MOUNTAINS WEST

Split Claim 41F 30172077

OWNERS: William R. Lev and Jacqueline D. Lev

¹ During initial claims examination, the Department of Natural Resources and Conservation, without explanation, modified the place of use to 331.00 acres.

FLOW RATE: 7.13 GPM

MAXIMUM ACRES: 10.00

PLACE OF USE:

<u>PARCEL 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		E2NWSW	17	4S	1W	MADISON
TOTAL:	10.00						

Remarks: C.O.S. 7/290, PARCEL 10, AKA SHINING MOUNTAINS WEST

Split Claim 41F 30172079

OWNERS: Jennifer W. Davies

FLOW RATE: 5.35 GPM

MAXIMUM ACRES: 7.50

PLACE OF USE:

<u>PARCEL 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	7.50		E2SWNW	17	4S	1W	MADISON
TOTAL:	7.50						

Remarks: C.O.S. 7/2006FC, PARCEL 23-A, AKA SHINING MOUNTAINS WEST

Split Claim 41F 30172110

OWNERS: Timothy E. Holtzclaw and Shari L. Holtzclaw

FLOW RATE: 1.79 GPM

MAXIMUM ACRES: 2.50

PLACE OF USE:

<u>PARCEL 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	2.50		NWNWNW	17	4S	1W	MADISON
TOTAL:	2.50						

Remarks: C.O.S. 7/2018FC, PARCEL 25A, AKA SHINING MOUNTAINS WEST

Split Claim 41F 30172111

OWNERS: Stephen P. Bunge and Barbara B. Bunge

FLOW RATE: 5.35 GPM

MAXIMUM ACRES: 7.50

PLACE OF USE:

<u>PARCEL 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	7.50		W2NWNW	17	4S	1W	MADISON
TOTAL:	7.50						

Remarks: C.O.S. 7/2018FC, PARCEL 25B, AKA SHINING MOUNTAINS WEST

Split Claim 41F 30172115

OWNERS: Donald J. Dinnell and Cheryl G. Dinnell

FLOW RATE: 3.59 GPM

MAXIMUM ACRES: 5.00

PLACE OF USE:

<u>PARCEL 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		E2NWNW	17	4S	1W	MADISON
TOTAL:	5.00						

Remarks: C.O.S. 7/290, PARCEL 26, AKA SHINING MOUNTAINS WEST

CONCLUSIONS OF LAW

1. The Montana Water Court is permitted to use information submitted by the Department of Natural Resources and Conservation, the statement of claim, information from approved compacts, and any other data obtained by the Court to evaluate water right claims. Mont. Code Ann. § 85-2-231(2) (2025).

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 an element of the prima facie claim is incorrect. This is the burden of proof for every assertion that a claim is incorrect. Rule 19, W.R.Adj.R. A preponderance of the evidence is evidence that demonstrates the fact to be proved is "more probable than not." *Hohenlohe v. State*, 2010 MT 203, ¶ 33, 357 Mont. 348, 240 P.3d 628.

Because the modifications to the original claim in this proceeding did not constitute challenges to the prima facie status of the claim and only sought to split elements that held prima facie status, the burden of proof does not apply. The accurate representation of the split of claim 41F 138558-00 in this proceeding was sufficient information to complete the split of claim 41F 138558-00.

RECOMMENDATIONS

Based upon the above Findings of Fact and Conclusions of Law, this Master recommends that the Court make the changes specified in the Findings of Fact to correct

the Preliminary Decree for this Basin. Abstracts of Water Right Claim accompany this report to confirm implementation of the recommendations in the state's centralized water right record system.

The court includes the Bozeman Regional Office, Department of Natural Resources and Conservation on the service list for this Report so it can update the geocodes for the claims.

ELECTRONICALLY SIGNED AND DATED BELOW.

Service Via USPS Mail:

Jennifer W. Davies
PO Box 95
McAllister, MT 59740-0095

Nanci A. Gardner Revocable Trust
Thomas W. Gardner Revocable Trust
1101 Duncan Dr
Winter Springs, FL 32708

Donald J Dinnell
Cheryl G Dinnell
177 E Mount Whitney Ave
Laton CA 93242-9416

William R Lev
Jacqueline D Lev
PO Box 80
McAllister, MT 59740-0080

Timothy E. Holtzclaw
Shari L. Holtzclaw
1634 Nimblewill Church Rd
Dahlonge, GA 30533-3730

Last Order:
Kevin D. Amberson
Michele Aberson
PO Box 318
McAllister, MT 59740

Last Order:
Alex W. Dado
Suzanne M. Dado
111 Parnell Rd
Confluence, PA 15424-2101

Last Order:
Sandi M. Decarli-Lennehan
Matthew T. Lennehan
15056 SW Hazelcrest Way
Portland, OR 97224-3824

Last Order:
Jeff Gerbing
Wendy Gerbing
4715 Woodrow Pl
Arrington, TN 37014-1420

Last Order:
Charles D. Hubbard
Jeanne G. Hubbard
PO Box 406
McAllister, MT 59740

Last Order:
Steven R. Wolf
PO Box 93
McAllister, MT 59740

Service Via Email:

Barbara B. Bunge
Stephen P. Bunge
Steve59740@yahoo.com

Calli J. Michaels
Michaels Law, PLLC
cmichaels@mlawmt.com
(Atty for: Devonna G. Owens Family Trust)

This Order Only:
Bozeman Regional Office, DNRC
kstrasheim@mt.gov
jackson.alvey@mt.gov
james.fleming@mt.gov

****Note: Caption and Service List Updated 10-31-2025****

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MADISON RIVER
BASIN 41F**

Water Right Number: 41F 138558-00 STATEMENT OF CLAIM

Version: 3 -- SPLIT POST DECREE

Status: ACTIVE

Owners: GARDNER, Nanci A REVOCABLE TRUST
1101 DUNCAN DR
WINTER SPRINGS, FL 32708

GARDNER, THOMAS W REVOCABLE TRUST
THOMAS & NANCY GARDNER, TRUSTEES
1101 DUNCAN DR
WINTER SPRINGS, FL 32708-4307

Priority Date: APRIL 1, 1910

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 1.79 GPM

***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: 2.50

Source Name: SPRING, UNNAMED TRIBUTARY OF NORTH MEADOW CREEK

Source Type: GROUNDWATER

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	8	4S	1W	MADISON

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO SEPTEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.50		SESWNW	17	4S	1W	MADISON

Total: 2.50

C.O.S. 7/2006FC, PARCEL 23-B, AKA SHINING MOUNTAINS WEST

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.

138553-00	138554-00	138555-00	138556-00	138557-00	138558-00
30172077	30172079	30172110	30172111	30172115	

THE SPLIT CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 41F 30172077, 41F 30172079, 41F 30172110, 41F 30172111, 41F 30172115.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MADISON RIVER
BASIN 41F

Water Right Number: 41F 30172077 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JACQUELINE D LEV
PO BOX 80
MCALLISTER, MT 59740-0080

WILLIAM R LEV
PO BOX 80
MCALLISTER, MT 59740-0080

Priority Date: APRIL 1, 1910

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 7.13 GPM

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: 10.00

Source Name: SPRING, UNNAMED TRIBUTARY OF NORTH MEADOW CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSWSW	8	4S	1W	MADISON

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO SEPTEMBER 30

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	10.00		E2NWSW	17	4S	1W	MADISON
Total:	10.00						

C.O.S. 7/290, PARCEL 10, AKA SHINING MOUNTAINS WEST

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.

138553-00	138554-00	138555-00	138556-00	138557-00	138558-00
30172077	30172079	30172110	30172111	30172115	

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41F 138558-00.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MADISON RIVER
BASIN 41F

Water Right Number: 41F 30172079 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JENNIFER W DAVIES
PO BOX 95
MCALLISTER, MT 59740-0095

Priority Date: APRIL 1, 1910

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 5.35 GPM

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: 7.50

Source Name: SPRING, UNNAMED TRIBUTARY OF NORTH MEADOW CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSWSW	8	4S	1W	MADISON

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO SEPTEMBER 30

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	7.50		E2SWNW	17	4S	1W	MADISON
Total:	7.50						

C.O.S. 7/2006FC, PARCEL 23-A, AKA SHINING MOUNTAINS WEST

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.

138553-00	138554-00	138555-00	138556-00	138557-00	138558-00
30172077	30172079	30172110	30172111	30172115	

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41F 138558-00.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MADISON RIVER
BASIN 41F

Water Right Number: 41F 30172110 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SHARI L HOLTZCLAW
1634 NIMBLEWILL CHURCH RD
DAHLONEGA, GA 30533-3730

TIMOTHY E HOLTZCLAW
1634 NIMBLEWILL CHURCH RD
DAHLONEGA, GA 30533-3730

Priority Date: APRIL 1, 1910

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 1.79 GPM

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: 2.50

Source Name: SPRING, UNNAMED TRIBUTARY OF NORTH MEADOW CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSWSW	8	4S	1W	MADISON

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO SEPTEMBER 30

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	2.50		NWNWNW	17	4S	1W	MADISON
Total:	2.50						

C.O.S. 7/2018FC, PARCEL 25A, AKA SHINING MOUNTAINS WEST

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.

138553-00	138554-00	138555-00	138556-00	138557-00	138558-00
30172077	30172079	30172110	30172111	30172115	

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41F 138558-00.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MADISON RIVER
BASIN 41F**

Water Right Number: 41F 30172111 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BARBARA B BUNGE
PO BOX 65
MCALLISTER, MT 59740

STEPHEN P BUNGE
PO BOX 65
MCALLISTER, MT 59740

Priority Date: APRIL 1, 1910

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 5.35 GPM

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: 7.50

Source Name: SPRING, UNNAMED TRIBUTARY OF NORTH MEADOW CREEK

Source Type: GROUNDWATER

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	8	4S	1W	MADISON

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO SEPTEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	7.50		W2NWNW	17	4S	1W	MADISON

Total: 7.50

C.O.S. 7/2018FC, PARCEL 25B, AKA SHINING MOUNTAINS WEST

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.

138553-00	138554-00	138555-00	138556-00	138557-00	138558-00
30172077	30172079	30172110	30172111	30172115	

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41F 138558-00.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MADISON RIVER
BASIN 41F

Water Right Number: 41F 30172115 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CHERYL G DINNELL
177 E MOUNT WHITNEY AVE
LATON, CA 93242-9416

DONALD J DINNELL
177 E MOUNT WHITNEY AVE
LATON, CA 93242-9416

Priority Date: APRIL 1, 1910

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 3.59 GPM

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: 5.00

Source Name: SPRING, UNNAMED TRIBUTARY OF NORTH MEADOW CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSWSW	8	4S	1W	MADISON

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO SEPTEMBER 30

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	5.00		E2NWNW	17	4S	1W	MADISON
Total:	5.00						

C.O.S. 7/290, PARCEL 26, AKA SHINING MOUNTAINS WEST

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.

138553-00	138554-00	138555-00	138556-00	138557-00	138558-00
30172077	30172079	30172110	30172111	30172115	

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41F 138558-00.