

**MONTANA WATER COURT
UPPER MISSOURI DIVISION
MISSOURI RIVER ABOVE HOLTER DAM
BASIN (41I)
PRELIMINARY DECREE**

* * * * *

CLAIMANTS: Frank W. McArthur Jr.; Leisa N. McArthur;

OBJECTORS: Frank W. McArthur Jr.; Leisa N. McArthur; City
of Townsend

CASE 41I-0005-R-2023

41I 3834-00

41I 3839-00

41I 3840-00

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

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

MASTER'S REPORT

The above-captioned claims appeared in the Preliminary Decree for the Missouri River above Holter Dam (Basin 41I) issued on June 24, 2022. Claims 41I 3834-00, 41I 3839-00, and 41I 3840-00 received objections from the City of Townsend and self-objections from Frank and Leisa McArthur. Claim 41I 215430-00 received objections from Frank and Leisa McArthur and the State of Montana. All the claims also received

a common issue remark. Issue remarks are notations identifying potential legal or factual issues with water rights and the Water Court is required to resolve these potential issues.

FINDINGS OF FACT

Overlapping Place of Use Issue Remark

1. Claims 41I 3834-00, 41I 3839-00, and 41I 3840-00 are owned by the McArthurs. Claim 41I 215430-00 is owned by the State of Montana.

2. All the claims in this matter received the following issue remark:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 41I 3834-00, 41I 3839-00, 41I 3840-00, 41I 215430-00.

3. On June 11, 2024, the State withdrew claim 41I 215430-00 based on non-perfection. (Doc. 12.00).

41I 3834-00, 41I 3839-00, and 41I 3840-00

4. Claims 41I 3834-00, 41I 3839-00, and 41I 3840-00 were decreed with the following points 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		NWNWNW	1	6N	2E	BROADWATER
Source Name: DEEP CREEK						
Period of Diversion: APRIL 1 TO OCTOBER 15						
Diversion Means: HEADGATE						
Ditch Name: MITCHELL-HEUER DITCH 1						
2		NENESE	36	7N	2E	BROADWATER
Source Name: DEEP CREEK						
Period of Diversion: APRIL 1 TO OCTOBER 15						
Diversion Means: HEADGATE						
Ditch Name: MITCHELL-PROSSER-ZUBRICH-FLYNN DITCH						
3		SEWNSE	36	7N	2E	BROADWATER
Source Name: DEEP CREEK						
Period of Diversion: APRIL 1 TO OCTOBER 15						
Diversion Means: HEADGATE						
Ditch Name: STROH-MITCHELL-HEUER DITCH						
4		SESESW	36	7N	2E	BROADWATER
Source Name: DEEP CREEK						
Period of Diversion: APRIL 1 TO OCTOBER 15						
Diversion Means: HEADGATE						
Ditch Name: MITCHELL-HEUER DITCH 2						

6. The McArthurs objected to the claims, stating:

Two historical diversion points were inadvertently not included during the split of ownership. Add historical diversion points SENENE Sec2 Twp 6N Range 2E Add SWNWSW Sec2 Twp 6N Range 2E

7. The City objected to the claims on different grounds. On August 12, 2024, the City withdrew their objections, conditioned on the claims remaining as they appeared in the Basin 41I Preliminary Decree. (Doc. 14.00).

History of the Points of Diversion

8. Claims 41I 3834-00, 41I 3839-00, and 41I 3840-00 were originally filed by Betty McArthur.¹ In January 2000, Betty transferred part of her interest in the claims to the McArthurs and the remaining part of her interest in the claims to Linda R. Wickens and Joseph A. Wickens (“Wickens”). Instead of splitting the claims to reflect the portions received by the McArthurs and the Wickens, the McArthurs and Wickens were added as co-owners on the claims.

9. For all three claims, Betty divided the points of diversion as follows:

BUYER S NAME FRANK W. & LEISA N MCARTHUR

POINT OF DIVERSION (describe the location to the nearest 10 acres)
SE 1/4 NE 1/4 NE 1/4 Sec 02 TWP 06 (N)S RGE 02 (E)W County Broadwater
Lot _____ Block _____ Tract No _____ Subdivision Name _____
SE 1/4 SE 1/4 NE 1/4 Sec 36 TWP 07 (N)S RGE 02 (E)W County Broadwater
Lot _____ Block _____ Tract No _____ Subdivision Name _____

BUYER S NAME JOSEPH A & LINDA R WICKENS

POINT OF DIVERSION (describe the location to the nearest 10 acres)
SW 1/4 NW 1/4 SW 1/4 Sec 02 TWP 06 (N)S RGE 02 (E)W County BROADWATER
Lot _____ Block _____ Tract No _____ Subdivision Name _____
SE 1/4 SE 1/4 NE 1/4 Sec 36 TWP 07 (N)S RGE 02 (E)W County BROADWATER
Lot _____ Block _____ Tract No _____ Subdivision Name _____

10. Over time, the Wickens divided their ownership in the claims and by 2016, the following owners appeared on the claims - Christian C. Chatfield, James J. Conner, Teresa C. Conner, Mike Cysewski, June Henderson, Frank W. McArthur Jr, Leisa N. McArthur, Wynn M. Meehan, Jeanette Miller, Jacqueline Richtmyer, Travis D. Richtmyer, Turkey Track Ranch LLC, Linda R. Wickens, and Joseph A. Wickens.

11. In 2016, the McArthurs, Millers, and Conners filed a request to split the claims. Based on the Water Court filings, there was confusion about which points of

¹ The claims were also originally filed by Frank W. McArthur, who passed away in 1990. Because Frank W. McArthur Jr. is referenced in this order extensively and the elder Frank McArthur’s ownership is not relevant to the later transfers, this order will refer to the original ownership as in Betty’s name only to avoid confusion. However, the Court recognizes that Frank W. McArthur was an original owner of these claims.

diversion served which places of use. Based on the information provided by the parties, the Water Master found the points of diversion should be divided as follows:

McArthurs:

- NENESE §36 T7N R2E
- SENWSE §36 T7N R2E
- SESESW §36 T7N R2E
- NWNWNW §1 T6N R2E

Wickens and new owners:

- SENWSE §36 T7N R2E
- NENESW §2 T6N R2E
- NWNESW §2 T6N R2E
- SWNWSW §2 T6N R2E

SENENE §2 T7N R2E

12. It is unclear why, despite the initial transfer paperwork between Betty, the McArthurs, and the Wickens, the SENENE §2 T7N R2E was not assigned by the McArthurs. The SENENE §2 T7N R2E is still owned by the McArthurs.

SWNWSW §2 T6N R2E

13. As described above, Betty transferred the SWNWSW §2 T6N R2E to the Wickens. The SWNWSW §2 T6N R2E does not appear to be owned by the McArthurs.

14. On March 26, 2025, the Court ordered the McArthurs to file evidence showing the point of diversion in the SWNWSW of Section 2, Township 6N, Range 2E historically served the portions of the place of use they received from the previous owner of the claims. (Doc. 17.00). Nothing was filed by the deadline.

15. On May 5, 2025, the Court ordered the McArthurs to show cause why the point of diversion in the SWNWSW of Section 2, Township 6N, Range 2E should be added to claims 41I 3834-00, 41I 3839-00, and 41I 3840-00, and stated that failure to file evidence by this deadline will result in the point of diversion not being added to all three claims. (Doc. 18.00). Nothing was filed by the deadline.

16. On May 30, 2025, Townsend filed its Consent to Addition of Point [o]f Diversion for the SENENE of Section 2, Township 7N, Range 2E for claims 41I 3834-00, 41I 3839-00, and 41I 3840-00. (Doc. 19.00).

PRINCIPLES OF LAW

1. A properly filed Statement of Claim for an existing water right is prima facie proof of its content. Mont. Code Ann. § 85-2-227 (2025); Rule 10, W.R.Adj.R.
2. Prima facie proof may be contradicted and overcome by a preponderance of the evidence. Rule 19, W.R.Adj.R.
3. A preponderance of the evidence is evidence that shows a fact is “more probable than not.” *Hohenlohe v. State*, 2010 MT 203, ¶ 33, 357 Mont. 438, 240 P.3d 628.
4. If prima facie status is overcome, the burden shifts back to the claimant to demonstrate historical use. *79 Ranch v. Pitsch*, 204 Mont. 426, 432-33, 666 P.2d 215, 218 (1983).
5. Section 85-2-248(2), MCA, requires that the Water Court resolve all issue remarks that are not resolved through the objection process. *See also* Rule 7, W.R.Adj.R.
6. 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.
7. When resolving issue remarks, the Water Court must weigh the information resulting in the issue remark and the issue remark against the claimed water right. § 85-2-247(2), MCA. The factual evidence on which an issue remark is based must meet the preponderance of evidence standard before the prima facie status of a claim is overcome. 43Q 200996-00 et al., Order Establishing Volume and Order Closing Case, at 18, June 8, 2015.
8. If a claimant agrees to reduce or limit a claim, the Water Court may accept the reduction or limitation without reviewing further evidence, unless an unresolved issue remark remains. Rule 17(c), W.R.Adj.R.

CONCLUSIONS OF LAW

Overlapping Place of Use Issue Remark

1. The withdrawal of claim 41I 215430-00 resolve the overlapping place of use issue remark.

41I 3834-00, 41I 3839-00, and 41I 3840-00

2. The evidence in the claim file shows the historical point of diversion for claims 41I 3834-00, 41I 3839-00, and 41I 3840-00 includes the SENENE §2 T7N R2E.

3. The evidence in the claim file shows the historical point of diversion for claims 41I 3834-00, 41I 3839-00, and 41I 3840-00 does not include the SWNWSW §2 T6N R2E.

RECOMMENDATIONS

1. Claim 41I 215430-00 should be dismissed.

2. The SENENE §2 T7N R2E should be added as a point of diversion on claims 41I 3834-00, 41I 3839-00, and 41I 3840-00.

3. The issue remarks should be removed from all claim abstracts.

A post decree abstract of each water right claim reflecting these recommendations is attached to this Report.

ELECTRONICALLY SIGNED AND DATED BELOW.

Service via USPS Mail

Frank W McArthur Jr
Leisa N McArthur
574 Lower Deep Creek Rd
Townsend, MT 59644

Service via Electronic Mail

Breeann M Johnson Esq
Kirs A. Shelkey, Esq
Western Roots Law PLLC
johnson@westrootslaw.com
shelkey@westrootslaw.com
(atty City of Townsend)

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MISSOURI RIVER, ABOVE HOLTER DAM
BASIN 41I**

Water Right Number: 41I 3834-00 STATEMENT OF CLAIM

Version: 9 -- POST DECREE

Status: ACTIVE

Owners: FRANK W MCARTHUR JR
574 LOWER DEEP CREEK RD
TOWNSEND, MT 59644-9738

LEISA N MCARTHUR
574 LOWER DEEP CREEK RD
TOWNSEND, MT 59644-9738

Priority Date: DECEMBER 31, 1885

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 133.88 GPM

***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:** 174.33

Source Name: DEEP 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		NWNWNW	1	6N	2E	BROADWATER
Period of Diversion:	APRIL 1 TO OCTOBER 15					
Diversion Means:	HEADGATE					
Ditch Name:	MITCHELL-HEUER DITCH 1					
2		NENESE	36	7N	2E	BROADWATER
Period of Diversion:	APRIL 1 TO OCTOBER 15					
Diversion Means:	HEADGATE					
Ditch Name:	MITCHELL-PROSSER-ZUBRICH-FLYNN DITCH					
3		SENWSE	36	7N	2E	BROADWATER
Period of Diversion:	APRIL 1 TO OCTOBER 15					
Diversion Means:	HEADGATE					
Ditch Name:	STROH-MITCHELL-HEUER DITCH					
4		SESESW	36	7N	2E	BROADWATER
Period of Diversion:	APRIL 1 TO OCTOBER 15					
Diversion Means:	HEADGATE					

Ditch Name: MITCHELL-HEUER DITCH 2
5 SENENE 2 7N 2E BROADWATER
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	101.33		NW	1	6N	2E	BROADWATER
2	73.00		NE	2	6N	2E	BROADWATER
Total:	174.33						

THE PLACE OF USE IN SECTION 1 IS PART OF THE REMAINDER TRACT OF COS NO. 145A RECORDED IN BOOK 12 MICRO PAGE 145 AND ALL OF THE E2NE OF SECTION 2 LYING SOUTH OF THE COUNTY ROAD.

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.

3834-00 3839-00 3840-00

THE MAXIMUM ACRES, PLACE OF USE WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

THE SPLIT CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 41I 30109807, 41I 30109808, 41I 30109809, 41I 30109810, 41I 30109811, 41I 30109812, 41I 30109813, 41I 30109814 AND 41I 30109815.

AUTHORIZATION TO CHANGE POINT OF DIVERSION COMPLETED 11/30/1987. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE. SEE 41I 3834-00.

AUTHORIZATION TO CHANGE POINT OF DIVERSION COMPLETED. 11/30/1987. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE. SEE 41I 3834-01.

AUTHORIZATION TO CHANGE THE PLACE OF USE COMPLETED 07/29/1992. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE. SEE 41I 3834-02.

AUTHORIZATION TO CHANGE THE PLACE OF USE COMPLETED 10/01/1999. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE. SEE 41I 3834-03.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MISSOURI RIVER, ABOVE HOLTER DAM
BASIN 41I**

Water Right Number: 41I 3839-00 STATEMENT OF CLAIM

Version: 9 -- POST DECREE

Status: ACTIVE

Owners: FRANK W MCARTHUR JR
574 LOWER DEEP CREEK RD
TOWNSEND, MT 59644-9738

LEISA N MCARTHUR
574 LOWER DEEP CREEK RD
TOWNSEND, MT 59644-9738

Priority Date: SEPTEMBER 30, 1881

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 334.88 GPM

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:** 174.33

Source Name: DEEP 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		NWNWNW	1	6N	2E	BROADWATER
Period of Diversion:	APRIL 1 TO OCTOBER 15					
Diversion Means:	HEADGATE					
Ditch Name:	MITCHELL-HEUER DITCH 1					
2		NENESE	36	7N	2E	BROADWATER
Period of Diversion:	APRIL 1 TO OCTOBER 15					
Diversion Means:	HEADGATE					
Ditch Name:	MITCHELL-PROSSER-ZUBRICH-FLYNN DITCH					
3		SENWSE	36	7N	2E	BROADWATER
Period of Diversion:	APRIL 1 TO OCTOBER 15					
Diversion Means:	HEADGATE					
Ditch Name:	STROH-MITCHELL-HEUER DITCH					
4		SESESW	36	7N	2E	BROADWATER
Period of Diversion:	APRIL 1 TO OCTOBER 15					
Diversion Means:	HEADGATE					

Ditch Name: MITCHELL-HEUER DITCH 2
5 SENENE 2 7N 2E BROADWATER
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	101.33		NW	1	6N	2E	BROADWATER
2	73.00		NE	2	6N	2E	BROADWATER
Total:	174.33						

THE PLACE OF USE IN SECTION 1 IS PART OF THE REMAINDER TRACT OF COS NO. 145A RECORDED IN BOOK 12 MICRO PAGE 145, AND ALL OF THE E2NE OF SECTION 2 LYING SOUTH OF THE COUNTY ROAD.

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.

3834-00 3839-00 3840-00

THE MAXIMUM ACRES, PLACE OF USE WERE AMENDED BY THE WATER COURT PURSUANT TO SECTION 85-2-233(6), MCA.

THE SPLIT CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 41I 30109816, 41I 30109817, 41I 30109818, 41I 30109819, 41I 30109820, 41I 30109821, 41I 30109822, 41I 30109823 AND 41I 30109824.

AUTHORIZATION TO CHANGE POINT OF DIVERSION COMPLETED 11/30/1987. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE. SEE 41I 3834-00.

AUTHORIZATION TO CHANGE POINT OF DIVERSION COMPLETED. 11/30/1987. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE. SEE 41I 3834-01.

AUTHORIZATION TO CHANGE THE PLACE OF USE COMPLETED 07/29/1992. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE. SEE 41I 3834-02.

AUTHORIZATION TO CHANGE THE PLACE OF USE ISSUED 06/23/1999. NOTICE OF COMPLETION DUE 12/31/2000. SEE 41 3834-03.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MISSOURI RIVER, ABOVE HOLTER DAM
BASIN 41I**

Water Right Number: 41I 3840-00 STATEMENT OF CLAIM

Version: 9 -- POST DECREE

Status: ACTIVE

Owners: FRANK W MCARTHUR JR
574 LOWER DEEP CREEK RD
TOWNSEND, MT 59644-9738

LEISA N MCARTHUR
574 LOWER DEEP CREEK RD
TOWNSEND, MT 59644-9738

Priority Date: APRIL 1, 1870

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 1.19 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:** 174.33

Source Name: DEEP 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		NWNWNW	1	6N	2E	BROADWATER
Period of Diversion:	APRIL 1 TO OCTOBER 15					
Diversion Means:	HEADGATE					
Ditch Name:	MITCHELL-HEUER DITCH 1					
2		NENESE	36	7N	2E	BROADWATER
Period of Diversion:	APRIL 1 TO OCTOBER 15					
Diversion Means:	HEADGATE					
Ditch Name:	MITCHELL-PROSSER-ZUBRICH-FLYNN DITCH					
3		SENWSE	36	7N	2E	BROADWATER
Period of Diversion:	APRIL 1 TO OCTOBER 15					
Diversion Means:	HEADGATE					
Ditch Name:	STROH-MITCHELL-HEUER DITCH					
4		SESESW	36	7N	2E	BROADWATER
Period of Diversion:	APRIL 1 TO OCTOBER 15					
Diversion Means:	HEADGATE					

Ditch Name: MITCHELL-HEUER DITCH 2
5 SENENE 2 7N 2E BROADWATER
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	101.33		NW	1	6N	2E	BROADWATER
2	73.00		NE	2	6N	2E	BROADWATER
Total:	174.33						

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3834-00 3839-00 3840-00

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THE SPLIT CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 41I 30109825, 41I 30110698, 41I 30110699, 41I 30110700, 41I 30110701, 41I 30110702, 41I 30110703, 41I 30110704 AND 41I 30110705.

AUTHORIZATION TO CHANGE POINT OF DIVERSION COMPLETED 11/30/1987. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE. SEE 41I 3834-00.

AUTHORIZATION TO CHANGE POINT OF DIVERSION COMPLETED 11/30/1987. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE. SEE 41I 3834-01.

AUTHORIZATION TO CHANGE THE PLACE OF USE COMPLETED 07/29/1992. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE. SEE 41I 3834-02.

AUTHORIZATION TO CHANGE THE PLACE OF USE ISSUED 06/23/1999. NOTICE OF COMPLETION DUE 12/31/2000. SEE 41I 3834-03.