

Montana Water Court
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MONTANA WATER COURT
LOWER MISSOURI DIVISION
JUDITH RIVER
BASIN 41S
PRELIMINARY DECREE

CLAIMANT: Thomas W. Watson

CASE 41S-0412-R-2024

41S 3184-00

41S 3185-00

41S 3186-00

41S 3187-00

41S 3188-00

41S 3189-00

41S 3190-00

41S 3191-00

41S 3192-00

41S 3193-00

41S 3194-00

41S 3195-00

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 Judith River (Basin 41S) with substantive issue remarks.

The claims were consolidated into Case 41S-0412-R-2024 on August 22, 2024 and the claimant was ordered to work with the Montana Department of Natural Resources and Conservation ("DNRC") to resolve the issue remarks. On October 7, 2024 Water Resources Specialist Carli Bluhm filed a Memorandum ("Memo") (Doc.¹ 3.00) making recommendations to resolve the issue remarks. On October 11, 2024, an Order Setting Filing Deadline was issued requiring the claimant to file documentation stating their position on the recommendations in the Memo. Nothing was filed by the deadline.

FINDINGS OF FACT

41S 3184-00

1. Claim 41S 3184-00 was claimed as an irrigation claim for use on 30.00 acres.
2. The claim received the following issue remarks:

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

BASED ON THE MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION REPORT TO THE WATER COURT, DATED 06/03/1998, IT APPEARS THAT THE MEANS OF DIVERSION SHOULD BE DITCH.

USDA AERIAL PHOTOGRAPH NO(S). 30045-179-110 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

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

3. The Memo states that during initial examination, the DNRC found 0 acres of irrigation and Water Resource Specialist Bluhm was again unable to find any acres irrigated. The Memo recommended that the claim be dismissed.

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

41S 3185-00

4. Claim 41S 3185-00 was claimed as a flood irrigation claim for use on 25.00 acres on the NWSW of Section 2, Township 14N, Range 14E, Judith Basin County.

5. The claim received the following issue remark:

BASED ON THE MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION REPORT TO THE WATER COURT, DATED 06/03/1998, IT APPEARS THAT THE MEANS OF DIVERSION SHOULD BE DITCH.

6. The Memo recommended making the following modification to the claim in order to resolve the issue remark:

Diversion Means: ~~DIKE~~ Ditch

41S 3186-00

7. Claim 41S 3186-00 was claimed as an irrigation claim for use on 11.50 acres.

8. The claim received the following issue remarks:

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

BASED ON THE MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION REPORT TO THE WATER COURT, DATED 05/04/1998, IT APPEARS THAT THE MEANS OF DIVERSION SHOULD BE DITCH.

THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY (1963) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 30045-179-110 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

IT APPEARS THE PLACE OF USE LEGAL DESCRIPTION SHOULD BE CHANGED TO THE N2SE, SEC 3, TWP 14N, RGE 14E, JUDITH BASIN CO.

THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

9. The Memo states that during initial examination, the DNRC found 0 acres of irrigation and Water Resource Specialist Bluhm was again unable to find any acres irrigated. The Memo recommended that the claim be dismissed.

41S 3187-00

10. Claim 41S 3187-00 was claimed as an irrigation claim for use on 30.00 acres.

11. The claim received the following issue remarks:

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

BASED ON THE MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION REPORT TO THE WATER COURT, DATED 05/04/1998, IT APPEARS THAT THE MEANS OF DIVERSION SHOULD BE DITCH.

THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY (1963) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 30045-279-15 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

12. The Memo states that during initial examination, the DNRC found 0 acres of irrigation and Water Resource Specialist Bluhm was again unable to find any acres irrigated. The Memo recommended that the claim be dismissed.

41S 3188-00

13. Claim 41S 3188-00 was claimed as an irrigation claim for use on 28.00 acres.

14. The claim received the following issue remarks:

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

BASED ON THE MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION REPORT TO THE WATER COURT, DATED 05/04/1998, IT APPEARS THAT THE MEANS OF DIVERSION SHOULD BE DITCH.

THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY (1963) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 30045-179-110 , 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.

15. The Memo states that during initial examination, the DNRC found 0 acres of irrigation and Water Resource Specialist Bluhm was again unable to find any acres irrigated. The Memo recommended that the claim be dismissed.

41S 3189-00

16. Claim 41S 134325-00 was claimed as an irrigation claim for use on 100.00 acres.

17. The claim received the following issue remarks:

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

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 18.00 GPM PER ACRE.

THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY (1963) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 30045-179-61 , DATED 09/17/1979 , APPEARS TO INDICATE 17.70 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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

18. The Memo recommends modifying the claim as follows in order to resolve the issue remarks:

Flow Rate: ~~4.00 CFS~~ **300.9 GPM**

Maximum Acres: ~~100.00~~ **17.7**

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	80.00 17.7		E2	14	13N	13E	JUDITH BASIN
2	20.00		W2W2W2	13	13N	13E	JUDITH BASIN
Total:	100.00 17.7						

41S 3190-00

19. Claim 41S 3190-00 was claimed as an irrigation claim for use on 75.00 acres.

20. The claim received the following issue remarks:

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

THE CLAIMS LISTED FOLLOWING THIS STATEMENT MAY BE A MULTIPLE USE OF THE SAME RIGHT. THESE CLAIMS MAY NEED A MULTIPLE USE REMARK. 41S 3190-00, 41S 3195-00.

THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY (1963) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 30045-179-78 , DATED 09/17/1979 , APPEARS TO INDICATE 74.50 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE POINT OF DIVERSION APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE NWNWSW SEC 12 TWP 13N RGE 13E JUDITH BASIN COUNTY.

THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

21. The Memo recommends modifying the claim as follows in order to resolve the issue remarks:

Flow Rate: ~~5.00 CFS~~ **2.82 CFS**

Maximum Acres: ~~75.00~~ **74.5**

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	75.00 74.5		NW	12	13N	13E	JUDITH BASIN
Total:	75.00 74.5						

41S 3191-00

22. Claim 41S 3191-00 was claimed as an irrigation claim for use on 30.00 acres.

23. The claim received the following issue remark:

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). 30045-179-78 , DATED 09/17/1979 , APPEARS TO INDICATE 19.50 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

24. The Memo recommends modifying the claim as follows in order to resolve the issue remarks:

Flow Rate: ~~2.50 CFS~~ **331.50 GPM**

Maximum Acres: ~~30.00~~ **19.50**

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	30.00 19.50		NWSW	12	13N	13E	JUDITH BASIN

Total: ~~30.00~~ **19.50**

41S 3192-00

25. Claim 41S 3192-00 was claimed as an irrigation claim for use on 12.50 acres.

26. The claim received the following issue remark:

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). 30045-179-61 , DATED 09/17/1979 , APPEARS TO INDICATE 19.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

27. The Memo recommends removing the above issue remarks.

41S 3193-00

28. Claim 41S 3193-00 was claimed as an irrigation claim for use on 50.00 acres.

29. The claim received the following issue remarks:

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). 30045-179-78 , DATED 09/17/1979 , APPEARS TO INDICATE 20.50 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

30. The Memo states that during initial examination, the DNRC found 0 acres of irrigation.

31. The Memo recommends modifying the claim as follows in order to resolve the issue remarks:

Flow Rate:		2.50 CFS	348.50 GPM					
<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	30.00 9.5			W2SW	12	13N	13E	JUDITH BASIN
2	20.00 11			S2S2NW	12	13N	13E	JUDITH BASIN
Total:	50.00 20.5							

41S 3194-00

32. Claim 41S 3194-00 was claimed as stock watering claim for use on Big Coulee.

33. The claim received the following issue remark:

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON ANTELOPE CREEK (BIG COULEE) WITH A PRIORITY DATE PREDATING CASE NO 1447, JUDITH BASIN COUNTY. IF NO OBJECTIONS ARE FILED TO PRIORITY DATE OR TYPE OF HISTORICAL RIGHT, THESE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS REMARK WILL BE REMOVED.

34. No objections were filed, and this remark will be removed.

41S 3195-00

35. Claim 41S 3195-00 was claimed as a stock water claim for use on Antelope Creek.

36. The claim received the following issue remark:

THE CLAIMS LISTED FOLLOWING THIS STATEMENT MAY BE A MULTIPLE USE OF THE SAME RIGHT. THESE CLAIMS MAY NEED A MULTIPLE USE REMARK. 41S 3190-00, 41S 3195-00.

37. The Memo finds that claim 41S 3190-00 and 41S 3195-00 have differing priority dates and types of historical use.

38. The Memo recommends the removal of the multiple use issue remark.

39. The Memo recommends the modifying of the priority date to match the notice of appropriation as follows

Priority Date: ~~MARCH 15, 1987~~ **September 10, 1888**

PRINCIPLES OF LAW

1. The Montana Water Court has the authority to determine the extent of all water rights in the state as they existed prior to July 1, 1973. *Fellows v. Saylor*, 2016 MT 45, ¶ 25, 382 Mont. 298, 367 P.3d 732; §§ 85-2-233, -102(13), MCA.
2. A properly filed Statement of Claim for Existing Water Right is prima facie proof of its content. § 85-2-227, MCA. This prima facie proof may be contradicted and overcome by other evidence that proves, by a preponderance of the evidence, that the elements of the claim do not accurately reflect the beneficial use of the water right as it existed prior to July 1, 1973. This is the burden of proof for every assertion that a claim is incorrect. Rule 19, W.R.Adj.R.
3. The Water Court may use information submitted by the DNRC, the Statement of Claim, and any other data obtained by the Court to evaluate a water right. §§ 85-2-227, -231(2), MCA.

CONCLUSIONS OF LAW

1. Claim 41S 3184-00 should be dismissed as discussed in Finding of Fact #3.
2. Claim 41S 3185-00 should be modified as discussed in Finding of Fact #6.
3. Claim 41S 3186-00 should be dismissed as discussed in Finding of Fact #9.
4. Claim 41S 3187-00 should be dismissed as discussed in Finding of Fact #12.
5. Claim 41S 3188-00 should be dismissed as discussed in Finding of Fact #15.
6. Claim 41S 3189-00 should be modified as discussed in Finding of Fact #18.
7. Claim 41S 3190-00 should be modified as discussed in Finding of Fact #21.
8. Claim 41S 3191-00 should be modified as discussed in Finding of Fact #24.
9. The issue remarks should be removed from claim 41S 3192-00 as discussed in Finding of Fact #27.
10. Claim 41S 3193-00 should be modified as discussed in Finding of Fact #31.
11. Issue remarks should be removed from claim 41S 3194- as discussed in Finding of Fact #34.
12. Claim 41S 3195-00 should be dismissed as discussed in Finding of Fact #39.

RECOMMENDATION

1. Upon review of the record in this case, the claims should be modified as discussed above.

Post Decree Abstracts of Water Right Claims are attached to this Master's Report for review.

ELECTRONICALLY SIGNED AND DATED BELOW.

Service via USPS Mail:

Thomas W. Watson
2172 N. River Road
Hobson, MT 59452

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

Water Right Number: 41S 3184-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: DISMISSED

Owners: THOMAS W WATSON
2172 N RIVER RD
HOBSON, MT 59452

Priority Date:

Type of Historical Right:

Purpose (Use): IRRIGATION

Flow Rate:

Volume:

Source Name: SPRING, UNNAMED TRIBUTARY OF SPRING CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

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 3185-00 STATEMENT OF CLAIM
Version: 4 -- POST DECREE
Status: ACTIVE

Owners: THOMAS W WATSON
2172 N RIVER RD
HOBSON, MT 59452

Priority Date: DECEMBER 31, 1915

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 100.00 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: 25.00

Source Name: SPRING, UNNAMED TRIBUTARY OF SPRING 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		NESWSE	3	14N	14E	JUDITH BASIN

Period of Diversion: APRIL 15 TO OCTOBER 31

Diversion Means: DITCH

Period of Use: APRIL 15 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	25.00		NWSW	2	14N	14E	JUDITH BASIN
Total:	25.00						

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

Water Right Number: 41S 3186-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: DISMISSED

Owners: THOMAS W WATSON
2172 N RIVER RD
HOBSON, MT 59452

Priority Date:

Type of Historical Right:

Purpose (Use): IRRIGATION

Flow Rate:

Volume:

Source Name: SPRING, UNNAMED TRIBUTARY OF SPRING CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

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 3187-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: DISMISSED

Owners: THOMAS W WATSON
2172 N RIVER RD
HOBSON, MT 59452

Priority Date:

Type of Historical Right:

Purpose (Use): IRRIGATION

Flow Rate:

Volume:

Source Name: SPRING, UNNAMED TRIBUTARY OF SPRING CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

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 3188-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: DISMISSED

Owners: THOMAS W WATSON
2172 N RIVER RD
HOBSON, MT 59452

Priority Date:

Type of Historical Right:

Purpose (Use): IRRIGATION

Flow Rate:

Volume:

Source Name: SPRING, UNNAMED TRIBUTARY OF SPRING CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

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 3189-00 STATEMENT OF CLAIM
Version: 4 -- POST DECREE
Status: ACTIVE

Owners: THOMAS W WATSON
2172 N RIVER RD
HOBSON, MT 59452

Priority Date: OCTOBER 20, 1883

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 300.90 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: 17.70

Source Name: ANTELOPE 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		SWSESE	14	13N	13E	JUDITH BASIN

Period of Diversion: APRIL 15 TO OCTOBER 31

Diversion Means: HEADGATE

Period of Use: APRIL 15 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	17.70		E2	14	13N	13E	JUDITH BASIN
Total:	17.70						

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

Water Right Number: 41S 3190-00 STATEMENT OF CLAIM
Version: 4 -- POST DECREE
Status: ACTIVE

Owners: THOMAS W WATSON
2172 N RIVER RD
HOBSON, MT 59452

Priority Date: MARCH 15, 1887

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.82 CFS

Volume: 300.00 AC-FT

Climatic Area: 3 - MODERATE

Maximum Acres: 74.50

Source Name: ANTELOPE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSW	12	13N	13E	JUDITH BASIN

Period of Diversion: APRIL 15 TO OCTOBER 31

Diversion Means: HEADGATE

Period of Use: APRIL 15 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	74.50		NW	12	13N	13E	JUDITH BASIN
Total:	74.50						

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

Water Right Number: 41S 3191-00 STATEMENT OF CLAIM
Version: 4 -- POST DECREE
Status: ACTIVE

Owners: THOMAS W WATSON
2172 N RIVER RD
HOBSON, MT 59452

Priority Date: SEPTEMBER 6, 1888

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 331.50 GPM

Volume: 100.00 AC-FT

Climatic Area: 3 - MODERATE

Maximum Acres: 19.50

Source Name: BIG COULEE

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSW	12	13N	13E	JUDITH BASIN

Period of Diversion: APRIL 15 TO OCTOBER 31

Diversion Means: HEADGATE

Period of Use: APRIL 15 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	19.50		NWSW	12	13N	13E	JUDITH BASIN

Total: 19.50

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

Water Right Number:41S 3192-00 STATEMENT OF CLAIM

Version:4 -- POST DECREE

Status:ACTIVE

Owners:THOMAS W WATSON
2172 N RIVER RD
HOBSON, MT 59452

Priority Date:JUNE 9, 1885

Type of Historical Right:DECREED

Purpose (Use):IRRIGATION

Irrigation Type:FLOOD

Flow Rate:1.88 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:12.50

Source Name:ANTELOPE CREEK, WEST FORK

Source Type:SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SWSENE	14	13N	13E	JUDITH BASIN	
Period of Diversion:APRIL 15 TO OCTOBER 31							
Diversion Means:HEADGATE							
Period of Use:APRIL 15 TO OCTOBER 31							
Place of Use:							
<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	12.50		NENE	14	13N	13E	JUDITH BASIN
Total:	12.50						

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

Water Right Number: 41S 3193-00 STATEMENT OF CLAIM
Version: 4 -- POST DECREE
Status: ACTIVE

Owners: THOMAS W WATSON
2172 N RIVER RD
HOBSON, MT 59452

Priority Date: NOVEMBER 2, 1888

Type of Historical Right: DECREED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 348.50 GPM

Volume: 150.00 AC-FT

Climatic Area: 3 - MODERATE

Maximum Acres: 20.50

Source Name: ANTELOPE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSW	12	13N	13E	JUDITH BASIN

Period of Diversion: APRIL 15 TO OCTOBER 31

Diversion Means: HEADGATE

Period of Use: APRIL 15 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	9.50		W2SW	12	13N	13E	JUDITH BASIN
2	11.00		S2S2NW	12	13N	13E	JUDITH BASIN

Total: 20.50

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

Water Right Number:41S 3194-00 STATEMENT OF CLAIM

Version:3 -- POST DECREE

Status:ACTIVE

Owners:THOMAS W WATSON
2172 N RIVER RD
HOBSON, MT 59452

Priority Date:SEPTEMBER 6, 1888

Type of Historical Right:FILED

Purpose (Use):STOCK

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

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

*Source Name:BIG COULEE

Source Type:SURFACE WATER

*Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		S2SE	11	13N	13E	JUDITH BASIN

Period of Diversion:JANUARY 1 TO DECEMBER 31

Diversion Means:LIVESTOCK DIRECT FROM SOURCE

Period of Use:JANUARY 1 TO DECEMBER 31

*Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			S2SE	11	13N	13E	JUDITH BASIN

Remarks:

IMPLIED CLAIM NO. 41S 214767-00 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

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

Water Right Number: 41S 3195-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: THOMAS W WATSON
2172 N RIVER RD
HOBSON, MT 59452

Priority Date: SEPTEMBER 10, 1888

Type of Historical Right: FILED

Purpose (Use): STOCK

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

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

Source Name: ANTELOPE CREEK

Source Type: SURFACE WATER

THIS WATER RIGHT ALSO INCLUDES SURFACE WATER FROM ANTELOPE CREEK, WEST FORK.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2	14	13N	13E	JUDITH BASIN
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
2		SESE	11	13N	13E	JUDITH BASIN
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
3		NWNW	13	13N	13E	JUDITH BASIN
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
4		W2	12	13N	13E	JUDITH BASIN
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
5		W2	1	13N	13E	JUDITH BASIN
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
Period of Use: JANUARY 1 TO DECEMBER 31						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2	1	13N	13E	JUDITH BASIN
2			W2	12	13N	13E	JUDITH BASIN
3			NWNW	13	13N	13E	JUDITH BASIN
4			SESE	11	13N	13E	JUDITH BASIN
5			E2	14	13N	13E	JUDITH BASIN