

Montana Water Court
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MONTANA WATER COURT
LOWER MISSOURI DIVISION
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 40O
INTERLOCUTORY DECREE

* * * * *

CLAIMANT: Buggy Creek Livestock LLLP

OBJECTOR: United States, DOI Bureau of Indian Affairs

NOTICE OF INTENT TO APPEAR: Assiniboiné & Sioux Tribes of Fort
Peck

CASE 40O-0112-I-2024

40O 30136644

40O 30175072

40O 30175073

40O 30175074

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 United States of America (Bureau of Indian Affairs) objected to this claim. The Assiniboiné & Sioux Tribes of Fort Peck filed a notice of intent to appear. On January 15, 2026 Buggy Creek Livestock LLLP's Statement And Unopposed Motion To Amend Claim To Resolve Issue Remarks And Objections was filed (FCE Doc. 16). On March 31, 2026 Buggy Creek Livestock LLLP's Notice Of Filing Proposed Post Decree Abstract And Proposed Implied Claim Abstracts was filed (FCE Doc. 18). These documents are viewable in the Court's FullCourt Enterprise case management system.

APPLICABLE LAW

"All issue remarks to claims that are not resolved through the filing of an objection as provided in 85-2-233 must be resolved as provided in this section." Section 85-2-248(2), MCA.

"'Implied Claim' means a claim authorized by the water court to be separated and individually identified when a statement of claim includes multiple rights." Rule 2(a)(33), W.R.C.E.R.

From 41P-108 "Circle S Ranch, Inc." Order On Motion To Modify Claims 5-16-19, at 2019 Mont. Water LEXIS 8, page 5:

The Water Court recognizes implied claims in certain circumstances *In re Musselshell River below Roundup*, Case 40C-47, 1994 Mont. Water LEXIS 18, *78 (July 14, 1994). However, before the Court will recognize an implied claim, the claimant must prove that several factors exist. These include: (1) proof of two or more water rights in the original claim form or the material submitted with the claim form; (2) proof of historic use corroborating the implied claim; and (3) proof that recognizing the implied claim(s) will avoid causing a change to historic water use or increase the historic burden to other water users. *In re Foss*, Case 76HF-580, 2013 Mont. Water LEXIS 17, *32 (Jan. 31, 2013); *In re Martinell*, Case 41A-148, 2018 Mont. Water LEXIS 3, *6 (June 14, 2018). These standards assure that implied claims are not used to revive a claim that was forfeited as a matter of law by missing the filing deadline. Mont. Code Ann. § 85-2-226 (establishing conclusive presumption of abandonment of for claims not timely filed); *In re Climbing Arrow Ranch*, Case 41F-A19, 2019 Mont. Water LEXIS 1 (Mar. 6, 2019). The implied claim process also cannot be used to expand the elements of a statement of claim. *In re Eliasson Ranch Company*, Order Amending and Adopting Master's Report, Case 40A-115, 2004 Mont. Water LEXIS 2, *6 (Jun. 28, 2004) ("*Eliasson*").

A properly filed Statement of Claim for Existing Water Right is prima facie proof of its content pursuant to section 85-2-222, 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 including for claimants objecting to their own claims. Rule 19, W.R.Adj.R.

FINDINGS OF FACT

1. A review of the Statement of Claim and its attachments shows that it is a compilation of four different use right appropriations.

2. Claim 400 30136644 should be used for the August 28, 1915 right (as claimed). Implied claim 400 30175072 should be generated for the May 8, 1957 right. Implied claim 400 30175073 should be generated for the June 29, 1918 right. Implied claim 400 30175074 should be generated for the October 24, 1969 right.

3. For claim 400 30136644, the Interlocutory Decree identifies five sources, two of which should be removed: UNNAMED TRIBUTARY OF PORCUPINE CREEK, MIDDLE FORK and UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK.

The Interlocutory Decree includes 27 points of diversion and places of use. Using the point of diversion and place of use numbers that appeared in the Interlocutory Decree, the following changes should be made:

- POD/POU 1-7: delete
- POD/POU 8: change W2NW to SWNW
- POD/POU 9: add Gov't Lot 8, remove NENW
- POD/POU 10: add Gov't Lot 10, remove W2E2
- POD/POU 11: add Gov't Lot 8, remove E2NW
- POD/POU 12: add Gov't Lot 10, remove S2SEW
- POD/POU 13: add Gov't Lot 14, remove SESW
- POD/POU 14: add Gov't Lot 12, remove E2SW
- POD/POU 15: add Gov't Lot 7, remove E2W2
- POD/POU 18: delete
- POD/POU 19: add Gov't Lot 7, remove E2NW
- POD/POU 22: change W2NW to SWNW
- Add: Gov't Lot 9, 23, 32N, 40E, VALLEY, on an UNNAMED TRIBUTARY OF

PORCUPINE CREEK

- Add: Gov't Lot 11, 23, 32N, 40E, VALLEY, on PORCUPINE CREEK
- Add: Gov't Lot 11, 23, 32N, 40E, VALLEY, on an UNNAMED TRIBUTARY OF PORCUPINE CREEK
- Add: Gov't Lot 9, 26, 32N, 40E, VALLEY, on PORCUPINE CREEK
- Add: Gov't Lot 10, 26, 32N, 40E, VALLEY, on PORCUPINE CREEK
- Add: Gov't Lot 4, 3, 31N, 40E, VALLEY, on an UNNAMED TRIBUTARY OF PORCUPINE CREEK
- Add: Gov't Lot 8, 26, 32N, 40E, VALLEY, on PORCUPINE CREEK

This claim appeared in the Interlocutory Decree with the following general remark:

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE FORT PECK INDIAN RESERVATION.

As requested, this remark should be removed and the following remark should be added:

THE USE OF THIS WATER RIGHT IS LIMITED TO LANDS LYING OUTSIDE THE EXTERIOR BOUNDARIES OF THE FORT PECK INDIAN RESERVATION.

This claim appeared in the Interlocutory Decree with the following remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE REDUNDANT FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED. 400 30136580, 400 30136644.

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 400 DECREE ISSUED 05/24/1995.

The first remark was addressed by the changes made to the point of diversion and place of use.

The second remark has served its notice purpose. Both remarks should be removed.

4. The elements of implied claim 400 30175072 should be the same as 400 30136644 except the priority date should be MAY 8, 1957; the source should be UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK, and the point of diversion and place of use should be the NESW section 3, T32N, R40E, VALLEY and the S2SW section 3, T32N, R40E, VALLEY. The general remark concerning the location of the water right should also be added to the abstract of this claim.

5. The elements of implied claim 400 30175073 should be the same as 400 30136644

except the priority date should be JUNE 29, 1918; the sources should be UNNAMED TRIBUTARY OF PORCUPINE CREEK and UNNAMED TRIBUTARY OF PORCUPINE CREEK, MIDDLE FORK, and the point of diversion and place of use should be the S2SE section 14, the S2NWSE section 14, and the NESW section 14, all in T32N, R40E, VALLEY. The general remark concerning the location of the water right should also be added to the abstract of this claim.

6. The elements of implied claim 400 30175074 should be the same as 400 30136644 except the priority date should be OCTOBER 24, 1969; the source should be UNNAMED TRIBUTARY OF PORCUPINE CREEK, MIDDLE FORK, and the point of diversion and place of use should be the NE section 14, T32N, R40E, VALLEY. The general remark concerning the location of the water right should also be added to the abstract of this claim.

CONCLUSION OF LAW

Statement of Claim 400 30136644 and its attachments plus the settlement documents filed by Buggy Creek Livestock LLLP are sufficient to generate implied claims, and sufficient to resolve the issue remark without evidentiary hearing. Sections 85-2-248(3) and (11), MCA.

RECOMMENDATIONS

Based upon the above Findings of Fact and Conclusion of Law, this Master recommends that the Court generate implied claims 400 30175072, 400 30175073, and 400 30175074, and make the changes specified in the Findings of Fact to correct the Interlocutory Decree for this Basin. A Post Decree Abstract of Water Right Claim for each claim is served with this Report to confirm the recommended changes have been made in the state's centralized record system.

ELECTRONICALLY SIGNED AND DATED BELOW

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****Note: Caption Updated 5/21/2026****

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MILK RIVER, BELOW WHITEWATER INCLUDING PORCUPINE CREEK
BASIN 400

Water Right Number: 400 30136644 STATEMENT OF CLAIM

Version: 2 -- SPLIT POST DECREE

Status: ACTIVE

Owners: BUGGY CREEK LIVESTOCK LLLP
PO BOX 1
GLASGOW, MT 59230

Priority Date: AUGUST 28, 1915

Type of Historical Right: USE

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 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:** PORCUPINE CREEK, WEST FORK

Source Type: SURFACE WATER

Source Name: PORCUPINE CREEK

Source Type: SURFACE WATER

Source Name: UNNAMED TRIBUTARY OF PORCUPINE 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		SWNW	23	32N	40E	VALLEY

Source Name: UNNAMED TRIBUTARY OF PORCUPINE CREEK

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2	8		23	32N	40E	VALLEY
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***Source Name:** PORCUPINE CREEK, WEST FORK

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

3	10		23	32N	40E	VALLEY
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Source Name: PORCUPINE CREEK

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

4	8		23	32N	40E	VALLEY
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Source Name: PORCUPINE CREEK

Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
5	10	23	32N	40E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF PORCUPINE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
6	14	23	32N	40E	VALLEY
Source Name:	PORCUPINE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
7	12	23	32N	40E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF PORCUPINE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
8	7	26	32N	40E	VALLEY
Source Name:	PORCUPINE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
9	E2NWSW	26	32N	40E	VALLEY
Source Name:	PORCUPINE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
10	S2SWSW	26	32N	40E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF PORCUPINE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
11	7	35	32N	40E	VALLEY
Source Name:	PORCUPINE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
12	W2NW	35	32N	40E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF PORCUPINE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
13	NWSW	34	32N	40E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF PORCUPINE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
14	SWNW	3	31N	40E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF PORCUPINE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				

Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
15	SW	3	31N	40E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF PORCUPINE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
16	NW	10	31N	40E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF PORCUPINE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
17	SESE	33	32N	40E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF PORCUPINE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
18	E2SE	4	31N	40E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF PORCUPINE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
19	E2NE	9	31N	40E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF PORCUPINE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
20	9	23	32N	40E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF PORCUPINE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
21	11	23	32N	40E	VALLEY
Source Name:	PORCUPINE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
22	11	23	32N	40E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF PORCUPINE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
23	9	26	32N	40E	VALLEY
Source Name:	PORCUPINE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
24	10	26	32N	40E	VALLEY
Source Name:	PORCUPINE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
25	4	3	31N	40E	VALLEY

Source Name: UNNAMED TRIBUTARY OF PORCUPINE CREEK

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

26 8 26 32N 40E VALLEY

Source Name: PORCUPINE CREEK

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			SWNW	23	32N	40E	VALLEY
2		8		23	32N	40E	VALLEY
3		10		23	32N	40E	VALLEY
4		8		23	32N	40E	VALLEY
5		10		23	32N	40E	VALLEY
6		14		23	32N	40E	VALLEY
7		12		23	32N	40E	VALLEY
8		7		26	32N	40E	VALLEY
9			E2NWSW	26	32N	40E	VALLEY
10			S2SWSW	26	32N	40E	VALLEY
11		7		35	32N	40E	VALLEY
12			W2NW	35	32N	40E	VALLEY
13			NWSW	34	32N	40E	VALLEY
14			SWNW	3	31N	40E	VALLEY
15			SW	3	31N	40E	VALLEY
16			NW	10	31N	40E	VALLEY
17			SESE	33	32N	40E	VALLEY
18			E2SE	4	31N	40E	VALLEY
19			E2NE	9	31N	40E	VALLEY
20		9		23	32N	40E	VALLEY
21		11		23	32N	40E	VALLEY
22		11		23	32N	40E	VALLEY
23		9		26	32N	40E	VALLEY
24		10		26	32N	40E	VALLEY
25		4		3	31N	40E	VALLEY
26		8		26	32N	40E	VALLEY

Remarks:

THE IMPLIED CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 400 30175072, 400 30175073, 400 30175074.

THE USE OF THIS WATER RIGHT IS LIMITED TO LANDS LYING OUTSIDE THE EXTERIOR BOUNDARIES OF THE FORT PECK INDIAN RESERVATION.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MILK RIVER, BELOW WHITEWATER INCLUDING PORCUPINE CREEK
BASIN 400

Water Right Number: 400 30175072 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BUGGY CREEK LIVESTOCK LLLP
PO BOX 1
GLASGOW, MT 59230

Priority Date: MAY 8, 1957

Type of Historical Right: USE

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 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: UNNAMED TRIBUTARY OF PORCUPINE 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		NESW	3	32N	40E	VALLEY

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		S2SW	3	32N	40E	VALLEY
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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			NESW	3	32N	40E	VALLEY
2			S2SW	3	32N	40E	VALLEY

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 400 30136644.

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 400 INTERLOCUTORY DECREE ISSUED 01/11/2024.

THE USE OF THIS WATER RIGHT IS LIMITED TO LANDS LYING OUTSIDE THE EXTERIOR BOUNDARIES OF THE FORT PECK INDIAN RESERVATION.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MILK RIVER, BELOW WHITEWATER INCLUDING PORCUPINE CREEK
BASIN 400

Water Right Number: 400 30175073 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BUGGY CREEK LIVESTOCK LLLP
PO BOX 1
GLASGOW, MT 59230

Priority Date: JUNE 29, 1918

Type of Historical Right: USE

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 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: UNNAMED TRIBUTARY OF PORCUPINE CREEK

Source Type: SURFACE WATER

Source Name: UNNAMED TRIBUTARY OF PORCUPINE CREEK, MIDDLE 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		S2SE	14	32N	40E	VALLEY

Source Name: UNNAMED TRIBUTARY OF PORCUPINE CREEK

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		S2NWSE	14	32N	40E	VALLEY
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Source Name: UNNAMED TRIBUTARY OF PORCUPINE CREEK

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

3		NESW	14	32N	40E	VALLEY
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Source Name: UNNAMED TRIBUTARY OF PORCUPINE CREEK, MIDDLE FORK

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			S2SE	14	32N	40E	VALLEY

2	S2NWSE	14	32N	40E	VALLEY
3	NESW	14	32N	40E	VALLEY

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 40O 30136644.

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 40O INTERLOCUTORY DECREE ISSUED 01/11/2024.

THE USE OF THIS WATER RIGHT IS LIMITED TO LANDS LYING OUTSIDE THE EXTERIOR BOUNDARIES OF THE FORT PECK INDIAN RESERVATION.

POST DECREE

ABSTRACT OF WATER RIGHT CLAIM

MILK RIVER, BELOW WHITEWATER INCLUDING PORCUPINE CREEK

BASIN 400

Water Right Number: 400 30175074 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BUGGY CREEK LIVESTOCK LLLP
PO BOX 1
GLASGOW, MT 59230

Priority Date: OCTOBER 24, 1969

Type of Historical Right: USE

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 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: UNNAMED TRIBUTARY OF PORCUPINE CREEK, MIDDLE 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		NE	14	32N	40E	VALLEY	
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			NE	14	32N	40E	VALLEY

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 400 30136644.

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 400 INTERLOCUTORY DECREE ISSUED 01/11/2024.

THE USE OF THIS WATER RIGHT IS LIMITED TO LANDS LYING OUTSIDE THE EXTERIOR BOUNDARIES OF THE FORT PECK INDIAN RESERVATION.