

Montana Water Court
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MONTANA WATER COURT
UPPER MISSOURI DIVISION
MADISON RIVER
BASIN 41F
PRELIMINARY DECREE

CLAIMANTS: Jack Creek Ranch LLC; Jumping Horse Stock
Ranch LLC; Sandra A. Black; Pauline P. Brown
Family Trust

OBJECTOR: Jack Creek Ranch LLC

NOTICE OF INTENT TO APPEAR: Kroenke Land &
Livestock, LLC

CASE 41F-0156-R-2025

41F 7597-00

41F 7598-00

41F 7600-00

41F 7605-00

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

Statement of the case

On February 17, 1989, Jack Creek Ranch Trust, Jackass Ranch Corp., Pauline D. Webel, and Richard K. Webel filed late objections to the captioned claims. The court added issue remarks to the claims noting the elements included in the late objections and noting that the late objections would be heard after proper notice on the next objection list. The Department of Natural Resources and Conservation added an additional notice issue remark to three of the four claims concerning modification of the source name during claims reexamination.

Stock Claims 41F 7597-00, 41F 7598-00, 41F 7600-00

A LATE OBJECTION HAS BEEN FILED TO THE SOURCE, PERIOD OF USE AND PURPOSE OF THIS WATER RIGHT CLAIM. IT WILL BE RESOLVED DURING THE ADJUDICATION OF OBJECTIONS TO THE PRELIMINARY DECREE.

SOURCE NAME 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.

Subirrigation Claim 41F 7605-00

A LATE OBJECTION HAS BEEN FILED TO THE SOURCE OF THIS WATER RIGHT CLAIM. IT WILL BE RESOLVED DURING THE ADJUDICATION OF OBJECTIONS TO THE PRELIMINARY DECREE.

During these case proceedings, claimant Jack Creek Ranch LLC assumed the late objection of its predecessors in interest for stock claim 41F 7597-00. All other late objectors and late objections were dismissed by the court on June 19, 2025. See court's case management system, FullCourt Enterprise, at document sequence 7.00.

On April 8, 2026, Jack Creek Ranch LLC, the Pauline P. Brown Family Trust, and Jumping Horse Stock Ranch LLC filed a Joint Motion to Amend and Brief in Support ("Motion"). The Motion stated that notice of intent to appear party for claims 41F 7597-00 and 41F 7598-00, Kroenke Land & Livestock LLC, did not oppose the relief requested by the Motion, and that the position of Sandra A. Black, co-claimant of claim 41F 7600-00, was not known at the time of filing the Motion. The court set a deadline for Sandra A. Black to file a statement indicating whether Ms. Black agreed with the Motion for

claim 41F 7600-00. On May 4, 2026, Ms. Black filed a comment, agreeing with the Motion for stock claim 41F 7600-00.

Issues

1. Is the objection to stock claim 41F 7597-00 resolved?
2. Are the issue remarks on each claim resolved?
3. Are the notices of intent to appear resolved for stock claims 41F 7597-00 and 41F 7598-00?
4. Should the Motion to Amend stock claims 41F 7597-00, 41F 7598-00, 41F 7600-00, and subirrigation claim 41F 7605-00 be granted?

Findings of fact

1. Stock statements of claim 41F 7597-00 and 41F 7598-00 identified a May 1 to September 1 period of use, and stock claim 41F 7600-00 identified a May 15 to November 20 period of use.

2. A preponderance of evidence establishes the period of use and period of diversion for livestock direct from source claims 41F 7597-00, 41F 7598-00, and 41F 7600-00 should be year-round.¹

3. Stock statement of claim 41F 7597-00 identified its source as Jack Creek, stock statement of claim 41F 7598-00 identified its source as Warm Spring Creek, Tributary to Jack Creek, and subirrigation statement of claim 41F 7605-00 identified its source as No Name, Subirrigation.

4. The source identified by prima facie stock statement of claim 41F 7597-00, Jack Creek, is historically accurate. Jack Creek should be the only source identified by stock claim 41F 7597-00.

5. A preponderance of evidence establishes the source for stock claim 41F 7598-00 and subirrigation claim 41F 7605-00 should be Unnamed Tributary of Jack Creek.

¹ Period of diversion did not appear on abstracts until 2008. Modifications made to period of use for livestock direct from source claims are also applied to period of diversion.

6. The place of use and point of diversion legal land descriptions for livestock direct from source stock claims 41F 7597-00 and 41F 7598-00 should be refined to the location of the source within the legal land descriptions identified by each prima facie statement of claim.

Principles of law

1. A properly filed Statement of Claim for Existing Water Right is prima facie proof of its content. Section 85-2-227, MCA. Prima facie proof may be 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 a “modest standard” and 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.

2. 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. Section 85-2-231(2), MCA.

3. Settlement, including the documents filed by a claimant where the claimant is the only party, is subject to review and approval by the Water Court. Rule 17(a), W.R.Adj.R.

4. If the settlement agreement expands or enlarges an element of a claim, evidence meeting the burden of proof must be provided. If the evidence does not meet the burden of proof, the element shall not be expanded or enlarged. Rule 17(b), W.R.Adj.R.

5. The Water Court may accept a settlement agreement that reduces or limits an element of a claim and need not determine whether the burden of proof is met unless there is an unresolved issue regarding the claim. Rule 17(c), W.R.Adj.R.

6. Notice by publication of an amendment is required if there is the possibility of adverse affect to other water users. Section 85-2-233(6), MCA.

7. Rule 15, M.R.Civ.P., restricts the scope of an amendment to the conduct, transaction, or occurrence set forth in the original pleading - the “same set of operative facts as contained in the original pleading.” *Sooy v. Petrolane Steel Gas, Inc.*, 218 Mont. 418, 422-423, 708 P.2d 1014, 1017 (1985). The requested amendment “merely makes more specific that which has already been alleged.” *Prentice Lumber Company v. Hukill*, 161 Mont. 8, 15, 504 P.2d 277, 281 (1972).

8. The party seeking to amend a water right claim has the burden to show, by a preponderance of the evidence, that the claim elements they challenge do not accurately reflect the beneficial use of the water rights as they existed prior to July 1, 1973. *Nelson v. Brooks*, 2014 MT 120, ¶ 34, 375 Mont. 86, 329 P.3d 558; Rule 19, W.R.Adj.R.

9. When resolving issue remarks, the Montana Water Court must weigh the information resulting in the issue remark and the issue remark against the claimed water right. Section 85-2-247(2), MCA.

10. The Montana Water Court has the authority to resolve issue remarks when the claim file and information available to the Court provide a sufficient basis to do so. Section 85-2-248(3), MCA.

Analysis

Issues 1, 3, and 4 - objection resolution, amendments, notice of intent to appear resolution

The two February 17, 1989 notarized statements filed by Earl Love in each claim file support the historical accuracy of the proposed increase in period of use for stock claims 41F 7597-00, 41F 7598-00, and 41F 7600-00 and the historical accuracy of the proposed modified source names for stock claims 41F 7597-00 and 41F 7598-00, and subirrigation claim 41F 7605-00. (*See also* Motion, Ex. B, D, G, and H) In the statement Re: Documentation of location of “Jack Creek” tributary to Madison River, Mr. Love states, “I was born and raised in the Madison Valley and the south channel has always been called Jack Creek. I hunted ducks on this stream in 1942 and it was and still is called Jack Creek by the local people.” Mr. Love established a life-long historical

knowledge of both the area and its practices.

The proposed modification to the point of diversion and place of use for stock claim 41F 7597-00; the proposed modification to the source name, point of diversion, place of use, period of use, and point of diversion for stock claim 41F 7598-00; the proposed modification to the period of use and period of diversion for stock claim 41F 7600-00; and the proposed modification to the source name for subirrigation claim 41F 7605-00 result in agreed upon amendments of these claims. The amended point of diversion and place of use for stock claims 41F 7597-00 and 41F 7598-00 do not have the ability to adversely affect other water users. The amended point of diversion and place of use refines the information identified by stock claims 41F 7597-00 and 41F 7598-00. The amended source name, period of use, and period of diversion for stock claim 41F 7598-00, the amended period of use and period of diversion for stock claim 41F 7600-00, and the amended source name for subirrigation claim 41F 7605-00 received notice on the Basin 41F Preliminary Decree objection list. The objection list included each of the noted elements for each claim, and the late objection issue remark on each claim abstract directed water users to the late objections filed to that claim. The proposed amended source name and period of use for stock claim 41F 7598-00, the proposed amended period of use for stock claim 41F 7600-00, and the proposed amended source name for subirrigation claim 41F 7605-00 are the same modifications proposed by each late objection included in the claim files and noted by the issue remark on the claims. No further public notice of the amendments is necessary.

The Joint Motion to Amend and Brief in Support and its attachments, including the two Earl Love statements, may be viewed on the court's case management system, FullCourt Enterprise, at document sequence 21.00.

Conclusions of law

The evidence entered into the record overcomes the period of use identified by prima facie statements of claim 41F 7597-00, 41F 7598-00, and 41F 7600-00, and overcomes the source name identified by prima facie statements of claim 41F 7597-00, 41F 7598-00, and 41F 7605-00, justifying the modifications to each claim, resolving the

late objection issue remark appearing on claim 41F 7597-00, and resolving Jack Creek Ranch LLC's objection to claim 41F 7597-00.

The evidence entered into the record for the point of diversion and place of use is a reduction within the parameters of statements of claim 41F 7597-00 and 41F 7598-00, justifying the modifications to the claims.

The modifications to claim 41F 7597-00 and 41F 7598-00 resolve the concerns of notice of intent to appear party Kroenke Land & Livestock LLC.

Issue 2 – issue remark resolution

Stock claims 41F 7597-00 and 41F 7598-00, and 41F 7600-00 appeared in the Preliminary Decree with the following issue remark:

SOURCE NAME 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.

Water users were given the opportunity to review the claims and file an objection. The deadline to file objections expired. The only objection to source was for claim 41F 7597-00. The objection is resolved by these case proceedings.

The dismissal of Jack Creek Ranch Trust, Jackass Ranch Corp., Pauline D. Webel, and Richard K. Webel and the dismissal of their objections resolve the late objection issue remark appearing on claims 41F 7598-00, 41F 7600-00, and 41F 7605-00.

Conclusions of law

The source name issue remark on claims 41F 7597-00, 41F 7598-00, and 41F 7600-00 served its notice purpose. The late objection issue remark on claims 41F 7598-00, 41F 7600-00, and 41F 7605-00 is resolved.

Recommendations

Stock claim 41F 7597-00 should be modified as follows to accurately reflect historical use.

SOURCE: JACK CREEK
~~UNNAMED TRIBUTARY OF CEDAR CREEK~~

PERIOD OF USE AND PERIOD OF DIVERSION:

~~MAY 1 TO SEPTEMBER 1~~

JANUARY 1 TO DECEMBER 31

POINT OF DIVERSION:

<u>GOVT LOT</u>	<u>QTR SEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
	NWNW	25	5S	1W	MADISON
NENE	N2NE	26	5S	1W	MADISON
	W2NE	26	5S	1W	MADISON
	E2NW	26	5S	1W	MADISON

PLACE OF USE:

<u>GOVT LOT</u>	<u>QTR SEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
	NWNW	25	5S	1W	MADISON
	NENE	26	5S	1W	MADISON
	W2NE	26	5S	1W	MADISON
	E2NW	26	5S	1W	MADISON

Stock claim 41F 7598-00 should be modified as follows to accurately reflect historical use.

SOURCE: ~~JACK CREEK~~
UNNAMED TRIBUTARY OF JACK CREEK

PERIOD OF USE AND PERIOD OF DIVERSION:

~~MAY 1 TO SEPTEMBER 1~~

JANUARY 1 TO DECEMBER 31

POINT OF DIVERSION:

<u>GOVT LOT</u>	<u>QTR SEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
W2SW	SW	25	5S	1W	MADISON
SENE	E2NW	26	5S	1W	MADISON
SWNE	NE	26	5S	1W	MADISON
N2SE	N2SE	26	5S	1W	MADISON
	E2NE	35	5S	1W	MADISON

PLACE OF USE:

<u>GOVT LOT</u>	<u>QTR SEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
		25	5S	1W	MADISON
		26	5S	1W	MADISON
		35	5S	1W	MADISON
	W2SW	25	5S	1W	MADISON
	SENE	26	5S	1W	MADISON
	SWNE	26	5S	1W	MADISON
	N2SE	26	5S	1W	MADISON
	E2NE	35	5S	1W	MADISON

Stock claim 41F 7600-00 should be modified as follows to accurately reflect historical use.

PERIOD OF USE:

~~MAY 15 TO NOVEMBER 20~~

JANUARY 1 TO DECEMBER 31

PERIOD OF DIVERSION:

~~OCTOBER 20 TO NOVEMBER 20~~
~~MAY 15 TO NOVEMBER 20~~

JANUARY 1 TO DECEMBER 31

Subirrigation claim 41F 7605-00 should be modified as follows to accurately reflect historical use.

SOURCE: SUBIRRIGATION, UNNAMED TRIBUTARY OF ~~CEDAR CREEK~~ **JACK CREEK**
UNNAMED TRIBUTARY OF ~~CEDAR CREEK~~ **JACK CREEK**

The issue remarks should be removed from the claim abstracts.

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

ELECTRONICALLY SIGNED AND DATED BELOW.

Service Via USPS Mail:

Sandra A. Black
PO Box 894
Ennis MT 59729-0894

Service Via Electronic Mail:

Abigail R. Brown
Diana J. Abbott
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Renee L. Coppock
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jbonvillain@crowleyfleck.com
(Atty for: Jumping Horse Stock Ranch LLC)

W. John Tietz
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wcfilings@bkbh.com
(Atty for: Kroenke Land & Livestock, LLC)

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

Water Right Number: 41F 7597-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: JACK CREEK RANCH LLC
902 ROSSER LANE
CHARLOTTESVILLE, VA 22903

JUMPING HORSE STOCK RANCH LLC
135 HUTTON RANCH RD STE 103
KALISPELL, MT 59901-2141

Priority Date: MARCH 1, 1879

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 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:** JACK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		NWNW	25	5S	1W	MADISON
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
2		NENE	26	5S	1W	MADISON
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
3		W2NE	26	5S	1W	MADISON
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
4		E2NW	26	5S	1W	MADISON
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			NWNW	25	5S	1W	MADISON
2			NENE	26	5S	1W	MADISON
3			W2NE	26	5S	1W	MADISON
4			E2NW	26	5S	1W	MADISON

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

Water Right Number: 41F 7598-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: BROWN, PAULINE P FAMILY TRUST
% ZIA TRUST INC TRUSTEE
6301 INDIAN SCHOOL RD NE STE 800
ALBUQUERQUE, NM 87110-8156

JACK CREEK RANCH LLC
902 ROSSER LANE
CHARLOTTESVILLE, VA 22903

JUMPING HORSE STOCK RANCH LLC
135 HUTTON RANCH RD STE 103
KALISPELL, MT 59901-2141

Priority Date: MARCH 10, 1875

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 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:** UNNAMED TRIBUTARY OF JACK 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		W2SW	25	5S	1W	MADISON
Period of Diversion:		JANUARY 1 TO DECEMBER 31				
Diversion Means:		LIVESTOCK DIRECT FROM SOURCE				
2		SENW	26	5S	1W	MADISON
Period of Diversion:		JANUARY 1 TO DECEMBER 31				
Diversion Means:		LIVESTOCK DIRECT FROM SOURCE				
3		SWNE	26	5S	1W	MADISON
Period of Diversion:		JANUARY 1 TO DECEMBER 31				
Diversion Means:		LIVESTOCK DIRECT FROM SOURCE				
4		N2SE	26	5S	1W	MADISON
Period of Diversion:		JANUARY 1 TO DECEMBER 31				

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

5E2NE355S1WMADISON

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			W2SW	25	5S	1W	MADISON
2			SEnw	26	5S	1W	MADISON
3			SWNE	26	5S	1W	MADISON
4			N2SE	26	5S	1W	MADISON
5			E2NE	35	5S	1W	MADISON

Remarks:

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.

7598-007600-007605-00

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

Water Right Number: 41F 7600-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: SANDRA A BLACK
PO BOX 894
ENNIS, MT 59729-0894

JUMPING HORSE STOCK RANCH LLC
135 HUTTON RANCH RD STE 103
KALISPELL, MT 59901-2141

Priority Date: MARCH 10, 1875

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 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:** UNNAMED TRIBUTARY OF JACK 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		S2	25	5S	1W	MADISON

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				25	5S	1W	MADISON

Remarks:

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.

7598-00

7600-00

7605-00

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

Water Right Number: 41F 7605-00 STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: ACTIVE

Owners: JACK CREEK RANCH LLC
902 ROSSER LANE
CHARLOTTESVILLE, VA 22903

JUMPING HORSE STOCK RANCH LLC
135 HUTTON RANCH RD STE 103
KALISPELL, MT 59901-2141

Priority Date: MARCH 10, 1875

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: NATURAL SUBIRRIGATION

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED FOR THIS USE OF NATURAL SUBIRRIGATION.

***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: 87.00

Source Name: UNNAMED TRIBUTARY OF JACK CREEK

Source Type: SURFACE WATER

Source Name: SUBIRRIGATION, UNNAMED TRIBUTARY OF JACK 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	25	5S	1W	MADISON
Source Name:	SUBIRRIGATION, UNNAMED TRIBUTARY OF JACK CREEK					
Period of Diversion:	APRIL 1 TO NOVEMBER 1					
Diversion Means:	SUBIRRIGATION					
2		NWSW	25	5S	1W	MADISON
Source Name:	UNNAMED TRIBUTARY OF JACK CREEK					
Period of Diversion:	APRIL 1 TO NOVEMBER 1					
Diversion Means:	SUBIRRIGATION					
3		SENE	26	5S	1W	MADISON
Source Name:	UNNAMED TRIBUTARY OF JACK CREEK					
Period of Diversion:	APRIL 1 TO NOVEMBER 1					
Diversion Means:	SUBIRRIGATION					
4		NESE	26	5S	1W	MADISON

