

IN THE WATER COURT OF THE STATE OF MONTANA
CLARK FORK DIVISION
CLARK FORK RIVER BELOW THE FLATHEAD RIVER BASIN (76N)
PRELIMINARY DECREE

CLAIMANTS: SPP Montana LLC; Green Diamond Montana
Timberlands, LLC

76N-0058-R-2025
76N 115872-00
76N 115896-00

OBJECTOR: United States of America Department of
Agriculture Forest Service; Green Diamond
Resource Co.; Green Diamond Montana
Timberlands, LLC

CLAIMANTS: SPP Montana LLC; Green Diamond Resource
Co.; Green Diamond Montana Timberlands,
LLC

76N-0059-R-2025
76N 52616-00
76N 115869-00
76N 115891-00

OBJECTOR: United States of America Department of
Agriculture Forest Service; Green Diamond
Resource Co.; Green Diamond Montana
Timberlands, LLC

**ORDER APPROVING STIPULATION
AND CLOSING CASE**

The United States of America, Department of Agriculture – Forest Service (“United States”) and Green Diamond Montana Timberlands, LLC (“Green Diamond MT”) seek approval of a Stipulation to Resolve Objections (“Stipulation”) for the claims consolidated in these two cases. For the reasons set forth in this Order, the Court approves the Stipulation and closes these cases.

BACKGROUND

1. The Water Court decreed claims 76N 115872-00, 76N 115896-00, 76N 52616-00, 76N 115869-00, and 76N 115891-00 in the Preliminary Decree for the Clark Fork River Below the Flathead River Basin (Basin 76N) issued on September 21, 2023.

2. The Preliminary Decree abstract for claim 76N 115872-00 describes a right to use water from the Thompson River for direct from source stock water use with a February 8, 1933 priority date. The decree abstract identified SPP Montana LLC as the sole owner of this claim.

3. The Preliminary Decree abstract for claim 76N 115896-00 describes a right to use water from Weeksville Creek for direct from source stock water use with a February 20, 1933 priority date. The decree abstract identified SPP Montana LLC as the sole owner of this claim.

4. The Preliminary Decree abstract for claim 76N 52616-00 describes a right to use water from Lazier Creek for direct from source stock water use with a June 1, 1915 priority date. The decree abstract identified SPP Montana LLC and Green Diamond Resource Co. as joint owners of this claim.

5. The Preliminary Decree abstract for claim 76N 115869-00 describes a right to use water from Murr Creek for direct from source stock water use with a March 8, 1933 priority date. The decree abstract identified Green Diamond Resource Co. as the sole owner of this claim.

6. The Preliminary Decree abstract for claim 76N 115891-00 describes a right to use water from Marten Creek for direct from source stock water use with a March 8, 1933 priority date. The decree abstract identified SPP Montana LLC and Green Diamond Resource Co. as joint owners of this claim.

7. Each claim contains identical descriptions to the place of use and point of diversion that follow the relevant courses of the source streams, which is standard for direct from source stock water right claims.

8. None of the claims received issue remarks.

9. Green Diamond Resource Co. objected to each of the claims based on ownership.

10. The United States objected to claim 76N 115872-00 based on several elements, including place of use and point of diversion.

11. The United States objected to claim 76N 115896-00 based on ownership.

12. The United States is the owner of the land described as the place of use for claim 76N 115896-00. (Stipulation, Recital E).

13. The United States objected to claim 76N 52616-00 based on several elements, including ownership, place of use and point of diversion.

14. The United States objected to claim 76N 115869-00 based on based on several elements, including place of use and point of diversion.

15. The United States objected to claim 76N 115891-00 based on place of use.

16. No one filed counterobjections.

17. Pursuant to Rule 9, W.R.Adj.R., the Court provided notice of the issue remarks and objections by providing an objection list for this basin. No parties filed notices of intent to appear based on the objection list.

18. The Court consolidated the claims into these cases to resolve the objections.

19. SPP conveyed certain real property and appurtenant water rights to Green Diamond Resource Co. by terms of a Grant Deed dated January 14, 2021, recorded on January 29, 2021, in the records of Sanders County, Montana. (Doc. 16.00, at 14; Stipulation, Recital B).

20. Green Diamond Resource Co. conveyed its interest in certain real property, including its interest in claims 76N 115872-00, 76N 52616-00, 76N 115869-00, and 76N 115891-00, among others, to Green Diamond MT by the terms of a Special Warranty Deed dated December 15, 2025, recorded on January 2, 2026, in the records of Sanders County, Montana. (Doc. 16.00, at 40; Stipulation, Recital D).

21. The ownership of the claims has been updated in the State's centralized water right record system to reflect these conveyances.

22. On June 29, 2026, the parties filed the Stipulation with the Court to resolve the objections. The Stipulation includes the following material terms:

- Modification of the legal descriptions of the points of diversion and places of use for claims 76N 52616-00, 76N 115869-00, and 76N 115872-00 to remove descriptions of land.
- Clerical correction to place of use legal land description no. 3 for claim 76N 115891-00.
- Dismissal of claim 115896-00.
- Withdrawal of all objections upon the Court's approval of the Stipulation.

DISCUSSION AND CONCLUSIONS

A. Standard for Approval.

Settlement stipulations are contracts setting the terms by which parties agree to resolve objections. A settlement stipulation may include a claimant's legally binding commitment to modify claims to resolve objections and issue remarks, and an objector's agreement to withdraw objections conditioned upon the Court's acceptance of the claim modifications. In determining whether to accept claim modifications proposed in the stipulation, the Court applies Rule 17, W.R.Adj.R. Under Rule 17(a), settlement stipulations are subject to Water Court review and approval when they resolve issues within the Court's jurisdiction. *See also*, § 85-2-233(5)(b), MCA.

By signing a stipulation, the parties and their counsel certify to the Court that, based on a reasonable inquiry, the stipulation is based on facts with evidentiary support. *See In re App. for Beneficial Water Use Permit by Harms Livestock*, Case WC 90-1; 2000 Mont. Water LEXIS 2 (Sept. 7, 2000). When a stipulation proposes modifications to water right claim elements, the Court still must evaluate each proposed modification to ensure the modification is supported by the evidence and is consistent with what the Court may adjudicate and its obligation to resolve issue remarks. *In re Argabright*, Case 41I-265, 2014 Mont. Water LEXIS 9, (December 12, 2014) (affirming rejection of stipulation); *In re Dana Ranch Co.*, Case 41J-265, 2017 Mont. Water LEXIS 13 (rejecting

stipulation); Section 85-2-248(3), MCA. The evidentiary standard is relaxed as to terms when a settlement stipulation proposes to reduce an element of a water right claim. Rule 17(c), W.R.Adj.R.

If the terms of a Stipulation call for modification of elements of a water right claim beyond the scope of notice provided in the objection list, the Court may treat the terms as a motion to amend with the potential to adversely affect other water rights and require additional notice with the opportunity for parties with standing to object to the proposed modifications. Section 85-2-233(6), MCA.

B. Application of Standard.

The Stipulation filed in these cases meets all the terms necessary for Court approval. The Stipulation and ownership update forms submitted to DNRC clarify ownership of claims in an area of Sanders County with a combination of federal and private ownership. The information on the forms reflects the real property ownership records. The parties provided evidentiary support for the Stipulation. The Stipulation does not expand any element of any claim and does not require additional notice beyond what already was provided in the Basin 76N objection list.

ORDER

Therefore, it is ORDERED:

1. The Stipulation is APPROVED.
2. Claim 76N 115896-00 is DISMISSED.
3. Claims 76N 115872-00, 76N 52616-00, 76N 115869-00, and 76N 115891-00 are modified as provided in this Order.
4. All objections are DISMISSED as resolved.
5. The claims and this case are CLOSED.

Post-decree abstracts of claims 76N 115872-00, 76N 115896-00, 76N 52616-00, 76N 115869-00, and 76N 115891-00 are included with this Order to confirm the modifications to the claim have been made in the State's centralized water rights record system.

ELECTRONICALLY SIGNED AND DATED BELOW.

Service via Electronic Mail:

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POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CLARK FORK, BELOW FLATHEAD RIVER
BASIN 76N

Water Right Number: 76N 115872-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: GREEN DIAMOND MONTANA TIMBERLANDS LLC
2050 US HIGHWAY 2 W
KALISPELL, MT 59901-7337

Priority Date: FEBRUARY 8, 1933

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:** THOMPSON RIVER

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>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2W2	5	22N	27W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		NWNWSW	33	23N	27W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		S2N2	33	23N	27W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4		E2SE	27	23N	27W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
5		SW	23	23N	27W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
6		N2NWSE	23	23N	27W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					

7	E2NE	23	23N	27W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
8	W2SW	13	23N	27W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
9	NWNESW	13	23N	27W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
10	SENW	13	23N	27W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
11	N2NE	13	23N	27W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
12	SWSWSE	1	23N	27W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
13	E2SESW	1	23N	27W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
14	N2SW	1	23N	27W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
15	W2NW	1	23N	27W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
16	W2W2	7	23N	26W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
17	NESE	35	24N	27W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
18	SWSENE	35	24N	27W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
19	W2NE	35	24N	27W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
20	W2SWSE	26	24N	27W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				

21	E2W2	26	24N	27W	SANDERS
Period of Diversion: JUNE 1 TO OCTOBER 15					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
22	E2SW	23	24N	27W	SANDERS
Period of Diversion: JUNE 1 TO OCTOBER 15					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
23	SESENW	23	24N	27W	SANDERS
Period of Diversion: JUNE 1 TO OCTOBER 15					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
24	SWNE	23	24N	27W	SANDERS
Period of Diversion: JUNE 1 TO OCTOBER 15					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
25	W2NENE	23	24N	27W	SANDERS
Period of Diversion: JUNE 1 TO OCTOBER 15					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
26	W2W2	13	24N	27W	SANDERS
Period of Diversion: JUNE 1 TO OCTOBER 15					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
27	W2NENW	13	24N	27W	SANDERS
Period of Diversion: JUNE 1 TO OCTOBER 15					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
28	E2W2	12	24N	27W	SANDERS
Period of Diversion: JUNE 1 TO OCTOBER 15					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
29	E2SW	1	24N	27W	SANDERS
Period of Diversion: JUNE 1 TO OCTOBER 15					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
30	SWNW	1	24N	27W	SANDERS
Period of Diversion: JUNE 1 TO OCTOBER 15					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
31	SWSWSW	25	25N	27W	SANDERS
Period of Diversion: JUNE 1 TO OCTOBER 15					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
32	W2W2	23	25N	27W	SANDERS
Period of Diversion: JUNE 1 TO OCTOBER 15					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
33	S2N2	23	25N	27W	SANDERS
Period of Diversion: JUNE 1 TO OCTOBER 15					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
34	NWNW	19	25N	26W	SANDERS
Period of Diversion: JUNE 1 TO OCTOBER 15					
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					

35	SESWSW	18	25N	26W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
36	E2SW	18	25N	26W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
37	NWNWSE	18	25N	26W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
38	SESWNE	18	25N	26W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
39	NENE	18	25N	26W	SANDERS
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
40	E2SW	8	25N	26W	FLATHEAD
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
41	SWNE	8	25N	26W	FLATHEAD
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
42	W2NW	33	26N	26W	FLATHEAD
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
43	N2NE	29	26N	26W	FLATHEAD
Period of Diversion:	JUNE 1 TO OCTOBER 15				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
Period of Use:	JUNE 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			E2W2	5	22N	27W	SANDERS
2			NWNWSW	33	23N	27W	SANDERS
3			S2N2	33	23N	27W	SANDERS
4			E2SE	27	23N	27W	SANDERS
5			SW	23	23N	27W	SANDERS
6			N2NWSE	23	23N	27W	SANDERS
7			E2NE	23	23N	27W	SANDERS
8			W2SW	13	23N	27W	SANDERS
9			NWNESW	13	23N	27W	SANDERS
10			SENW	13	23N	27W	SANDERS
11			N2NE	13	23N	27W	SANDERS
12			SWSWSE	1	23N	27W	SANDERS
13			E2SESW	1	23N	27W	SANDERS
14			N2SW	1	23N	27W	SANDERS

15	W2NW	1	23N	27W	SANDERS
16	W2W2	7	23N	26W	SANDERS
17	NESE	35	24N	27W	SANDERS
18	SWSENE	35	24N	27W	SANDERS
19	W2NE	35	24N	27W	SANDERS
20	W2SWSE	26	24N	27W	SANDERS
21	E2W2	26	24N	27W	SANDERS
22	E2SW	23	24N	27W	SANDERS
23	SESENW	23	24N	27W	SANDERS
24	SWNE	23	24N	27W	SANDERS
25	W2NENE	23	24N	27W	SANDERS
26	W2W2	13	24N	27W	SANDERS
27	W2NENW	13	24N	27W	SANDERS
28	E2W2	12	24N	27W	SANDERS
29	E2SW	1	24N	27W	SANDERS
30	SWNW	1	24N	27W	SANDERS
31	SWSWSW	25	25N	27W	SANDERS
32	W2W2	23	25N	27W	SANDERS
33	S2N2	23	25N	27W	SANDERS
34	NWNW	19	25N	26W	SANDERS
35	SESWSW	18	25N	26W	SANDERS
36	E2SW	18	25N	26W	SANDERS
37	NWNWSE	18	25N	26W	SANDERS
38	SESWNE	18	25N	26W	SANDERS
39	NENE	18	25N	26W	SANDERS
40	E2SW	8	25N	26W	FLATHEAD
41	SWNE	8	25N	26W	FLATHEAD
42	W2NW	33	26N	26W	FLATHEAD
43	N2NE	29	26N	26W	FLATHEAD

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CLARK FORK, BELOW FLATHEAD RIVER
BASIN 76N**

Water Right Number: 76N 115896-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: DISMISSED

Owners: SPP MONTANA LLC
6304 PEAKE RD
MACON, GA 31210-3960

Priority Date:

Type of Historical Right:

Purpose (Use): STOCK

Flow Rate:

Volume:

Source Name: WEEKSVILLE CREEK

Source Type: SURFACE WATER

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
CLARK FORK, BELOW FLATHEAD RIVER
BASIN 76N**

Water Right Number: 76N 52616-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: GREEN DIAMOND MONTANA TIMBERLANDS LLC
2050 US HIGHWAY 2 W
KALISPELL, MT 59901-7337

Priority Date: JUNE 1, 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: LAZIER 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		SE	30	25N	27W	SANDERS

Period of Diversion: JUNE 1 TO SEPTEMBER 30

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JUNE 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			SE	30	25N	27W	SANDERS

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CLARK FORK, BELOW FLATHEAD RIVER
BASIN 76N

Water Right Number: 76N 115869-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: GREEN DIAMOND MONTANA TIMBERLANDS LLC
2050 US HIGHWAY 2 W
KALISPELL, MT 59901-7337

Priority Date: MARCH 8, 1933

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: MURR 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		NESWNE	8	25N	26W	FLATHEAD
Period of Diversion:	JUNE 1 TO OCTOBER 15					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		S2NW	9	25N	26W	FLATHEAD
Period of Diversion:	JUNE 1 TO OCTOBER 15					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		NWSWNW	9	25N	26W	FLATHEAD
Period of Diversion:	JUNE 1 TO OCTOBER 15					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4		N2N2SE	9	25N	26W	FLATHEAD
Period of Diversion:	JUNE 1 TO OCTOBER 15					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
5		SWNWSE	9	25N	26W	FLATHEAD
Period of Diversion:	JUNE 1 TO OCTOBER 15					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
6		E2SENE	9	25N	26W	FLATHEAD
Period of Diversion:	JUNE 1 TO OCTOBER 15					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					

Period of Use: JUNE 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			NESWNE	8	25N	26W	FLATHEAD
2			S2NW	9	25N	26W	FLATHEAD
3			NWSWNW	9	25N	26W	FLATHEAD
4			N2N2SE	9	25N	26W	FLATHEAD
5			SWNWSE	9	25N	26W	FLATHEAD
6			E2SENE	9	25N	26W	FLATHEAD

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CLARK FORK, BELOW FLATHEAD RIVER
BASIN 76N

Water Right Number: 76N 115891-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: GREEN DIAMOND MONTANA TIMBERLANDS LLC
2050 US HIGHWAY 2 W
KALISPELL, MT 59901-7337

Priority Date: MARCH 8, 1933

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: MARTEN 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		S2N2	19	23N	26W	SANDERS

Period of Diversion: JUNE 1 TO OCTOBER 15

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		NENE	19	23N	26W	SANDERS
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Period of Diversion: JUNE 1 TO OCTOBER 15

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

3		NESWNE	26	23N	27W	SANDERS
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Period of Diversion: JUNE 1 TO OCTOBER 15

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

4		NWSENE	26	23N	27W	SANDERS
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Period of Diversion: JUNE 1 TO OCTOBER 15

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JUNE 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			N2S2	19	23N	26W	SANDERS
2			NENE	19	23N	26W	SANDERS
3			NESWNE	26	23N	27W	SANDERS
4			NWSENE	26	23N	27W	SANDERS