

Montana Water Court  
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IN THE WATER COURT OF THE STATE OF MONTANA  
LOWER MISSOURI DIVISION  
JUDITH RIVER BASIN (41S)  
PRELIMINARY DECREE

\*\*\*\*\*

CLAIMANT: RW Ranch LLC

CASE 41S-1132-R-2025

- 41S 142266-00
- 41S 142268-00
- 41S 142285-00
- 41S 142293-00
- 41S 142294-00
- 41S 142295-00
- 41S 142296-00
- 41S 142297-00
- 41S 142299-00
- 41S 142300-00
- 41S 142302-00

**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

### FINDINGS OF FACT

1. RW Ranch, LLC (hereinafter referred to as "RW Ranch" and "the Claimant") is the record owner of claims 41S 142266-00, 41S 142268-00, 41S 142285-00, 41S 142293-00, 41S 142294-00, 41S 142295-00, 41S 142296-00, 41S 142297-00, 41S 142299-00, 41S 142300-00, and 41S 142302-00.

2. Claims 41S 142266-00, 41S 142268-00, 41S 142285-00, 41S 142293-00, 41S 142294-00, 41S 142295-00, 41S 142296-00, 41S 142297-00, 41S 142299-00, 41S 142300-00, and 41S 142302-00 were decreed with Montana Department of Natural Resources and Conservation ("DNRC") issue remarks:

**Claim 41S 142266-00:**

- THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.
- RESERVOIR RECORD 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.

**Claim 41S 142268-00:**

- THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 160 MINER'S INCHES DECREED IN CASE NO. 3 , FERGUS COUNTY. 41S 142268-00, 41S 142293-00, 41S 142294-00, 41S 142297-00 .

**Claim 41S 142285-00:**

- MEANS OF DIVERSION 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.

**Claim 41S 142293-00:**

- THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 160 MINER'S INCHES DECREED IN CASE NO. 3 , FERGUS COUNTY. 41S 142268-00, 41S 142293-00, 41S 142294-00, 41S 142297-00 .
- THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.
- RESERVOIR RECORD 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.
- THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME EQUALS 47.67 TIMES THE CAPACITY OF THE RESERVOIR.

**Claim 41S 142294-00:**

- THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 160 MINER'S INCHES DECREED IN CASE NO. 3 , FERGUS COUNTY. 41S 142268-00, 41S 142293-00, 41S 142294-00, 41S 142297-00 .
- THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.
- THE CLAIMED VOLUME EXCEEDS THE MAXIMUM FEASIBLE VOLUME. BASED ON THE FLOW RATE AND PERIOD OF USE, THE MAXIMUM VOLUME POSSIBLE IS 11.14 ACRE-FEET PER YEAR.

**Claim 41S 142295-00:**

- THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.
- RESERVOIR RECORD 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.
- THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME EQUALS 47.67 TIMES THE CAPACITY OF THE RESERVOIR.

**Claim 41S 142296-00:**

- THE CLAIMED MEANS OF DIVERSION DOES NOT APPEAR STANDARDIZED AND CANNOT BE CLARIFIED FROM AVAILABLE DATA.

**Claim 41S 142297-00:**

- THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 160 MINER'S INCHES DECREED IN CASE NO. 3 , FERGUS COUNTY. 41S 142268-00, 41S 142293-00, 41S 142294-00, 41S 142297-00 .
- THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 106.00 GPM PER ACRE.
- POINT OF DIVERSION 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.

**Claim 41S 142299-00:**

- THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.
- SOURCE NAME, MEANS OF DIVERSION AND RESERVOIR RECORD WERE 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.
- THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME EQUALS 206 TIMES THE CAPACITY OF THE RESERVOIR.

**Claim 41S 142300-00:**

- FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
- THE CLAIMANT DID NOT IDENTIFY THE PERIOD OF DIVERSION FOR THIS RIGHT. A PERIOD OF DIVERSION HAS BEEN ADDED TO MATCH THE PERIOD OF USE. IF NO OBJECTIONS ARE RECEIVED TO THE PERIOD OF DIVERSION OR PERIOD OF USE, THOSE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS ISSUE REMARK WILL BE REMOVED FROM THIS CLAIM.
- THE JUDITH BASIN COUNTY WATER RESOURCES SURVEY ( 1963 ) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
- RESERVOIR RECORD 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.

- THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME EQUALS 5.72 TIMES THE CAPACITY OF THE RESERVOIR.

**Claim 41S 142302-00:**

- 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.

3. RW Ranch was ordered to meet with the DNRC and address issue remarks decreed on the claims. (Doc.<sup>1</sup> 1.00).

4. DNRC Water Resource Specialist Brandon Ahlgren filed a Memorandum on June 27, 2025. (Doc. 2.00). Mr. Ahlgren indicated he reviewed Judith Basin County Water Resources Survey and an aerial photograph to prepare the Memorandum. In a June 27, 2025 Memorandum, Mr. Ahlgren reported he was contacted by Hertha Lund from Lund Law, PLLC on behalf of the RW Ranch to discuss the claims. (Doc. 6.00).

4. **Claim 41S 142266-00:** The issue remarks decreed on this claim are notice-type issue remarks; Mr. Ahlgren indicated that claim 41S 142266-00 did not require DNRC attention.

5. **Claim 41S 142268-00:** Mr. Ahlgren noted the multiple use remark decree on this claim is sufficient to address the decree exceeded remark decreed on this claim. This Water Master agrees, the decree exceeded remark appears to have been added to the claim in error and it should be removed.

6. **Claim 41S 142285-00:** The issue remark decreed on this claim is a notice-type issue remark; Mr. Ahlgren indicated that claim 41S 142285-00 did not require DNRC attention.

7. **Claim 41S 142293-00:** Mr. Ahlgren noted the multiple use remark decree on claim 41S 142293-00 is sufficient to address the decree exceeded remark decreed on this claim. This Water Master agrees; the decree exceeded remark appears to have been added to the claim in error and should be removed.

Regarding the volume decreed on claim 41S 142293-00, Mr. Ahlgren stated:

The claimed volume is excessive for the size of the reservoir involved. Using the calculated size of the reservoir and the DNRCs guidelines of 2.5 fills per year, the volume would be 32.25 Acre-Feet.  
 $12.90 \text{ Acre-Feet} \times 2.5 \text{ Fills/Year} = 32.25 \text{ Acre-Feet}$

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<sup>1</sup> “Doc.” numerical references correlate to case file docket numbers in the Water Court’s Full Court case management system.

8. **Claim 41S 142294-00:** Mr. Ahlgren noted the multiple use remark decreed on claim 41S 142294-00 is sufficient to address the decree exceeded remark decreed on this claim. This Water Master agrees, the decree exceeded remark appears to have been added to the claim in error and it should be removed.

Regarding the decreed volume for claim 41S 142294-00, Mr. Ahlgren stated:

The flow rate is excessive for both the guidelines regarding this use, as well as the feasible volume based on flow rate and period of use. There is no data or evidence in the claim file to substantiate this claimed volume. Based on DNRC guidelines regarding lawn and garden, and the claimed acreage of 3.00, the volume should be 7.50 Acre-Feet. This volume is within the maximum feasible volume based on flow rate and period of use.

$3.00 \text{ Acres} \times 1.50 \text{ Acre-Feet} = 7.50 \text{ Acre-Feet}$

9. **Claim 41S 142295-00:** Using the calculated size of the reservoir and DNRC's guidelines of 2.5 fills per year, Mr. Ahlgren calculated the volume for claim 41S 142295-00 as 32.25 acre-feet.

$12.90 \text{ Acre-Feet} \times 2.5 \text{ Fills/Year} = 32.25 \text{ Acre-Feet}$

Mr. Ahlgren recommended the volume be modified to 32.25 acre-feet and the volume issue remark be removed from claim 41S 142295-00.

10. **Claim 41S 142296-00:** Mr. Ahlgren recommended the means of diversion for claim 41S 142296-00 be modified to headgate and the issue remark be removed.

11. **Claim 41S 142297-00:** Mr. Ahlgren noted the multiple use remark decreed on claim 41S 142297-00 is sufficient to address the decree exceeded remark decreed on this claim. This Water Master agrees; the decree exceeded remark appears to have been added to the claim in error and it should be removed. Additionally, the flow rate guideline remark appears to have been added in error to this decreed water right.

12. **Claim 41S 142299-00:** Using the calculated size of the reservoir and DNRC's guidelines of 2.5 fills per year, Mr. Ahlgren calculated the volume for claim 41S 142299-00 as 6.35 acre-feet.

$2.54 \text{ Acre-Feet} \times 2.5 \text{ Fills/Year} = 6.35 \text{ Acre-Feet}$

Mr. Ahlgren recommended the volume be modified to 6.35 acre-feet and the volume issue remark be removed from claim 41S 142299-00.

13. **Claim 41S 142300-00:** RW Ranch initially claimed 20.00 acres of irrigation for claim 41S 142300-00. The DNRC reduced the acres for claim 41S 142300-

00 to 13.00 during verification of the claims. Mr. Ahlgren identified 14.00 acres of historical irrigation during his examination of claim 41S 142300-00.

Using the calculated size of the reservoir and DNRC's guidelines of 2.5 fills per year, Mr. Ahlgren calculated the volume for claim 41S 142300-00 as 28.43 acre-feet.

$$11.37 \text{ Acre-Feet} \times 2.5 \text{ Fills/Year} = \mathbf{28.43 \text{ Acre-Feet}}$$

Additionally, Mr. Ahlgren recommended the flow rate for claim 41S 142300-00 be reduced consistent with the 17.00 gallon per minute (gpm)/per acre standard set in Rule 14(b), W.R.C.E.R.:  $17 \text{ GPM/Acre/Year} \times 14.00 \text{ Acres} = \mathbf{238.00 \text{ GPM}}$

14. **Claim 41S 142302-00:** The issue remark decreed on this claim is a notice-type issue remark; Mr. Ahlgren indicated that claim 41S 142302-00 did not require DNRC attention.

15. An Order was issued to determine if RW Ranch agreed or disagreed with Mr. Ahlgren's recommendations regarding the claims.

16. On August 8, 2025, counsel for RW Ranch filed the Claimant's Position indicating RW Ranch concurs with DNRC's recommendations, except for its recommendation regarding claim 41S 142293-00. (Doc. 8.00).

The filing indicated RW Ranch agrees the flow rate issue remark (decree exceeded issue remark) decreed on claim 41S 142293-00 is resolved by the claim's inclusion of the multiple use issue remark decreed on the claim.

The filing indicated RW Ranch does not agree that the volume for claim 41S 142293-00 should be quantified. The August 8, 2025 filing explains that when claim 41S 142293-00 was appropriated on June 7, 1883, no reservoir was associated with the claim and Neubert Pond was not constructed until 1924 and not expanded until 1949. RW Ranch's claim 41S 142295-00 claims Neubert Pond as it appeared in 1949. RW Ranch requests all reference to the reservoir (Neubert Pond) be removed from claim 41S 142293-00 as it is properly claimed by claim 41S 142295-00 and the volume decreed on claim 41S 142293-00 should be reflect Rule 15(c) W.R.C.E.R.: "THE TOTAL VOLUME OF THIS RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE."

1. The Water Court must address all issue remarks decreed on a claim.  
 Mont. Code Ann. § 85-2-248.

2. A properly filed Statement of Claim for an existing water right is prima facie proof of its content. § 85-2-227, MCA. This prima facie validity may be overcome by evidence showing that one or more elements of the claim are incorrect. This standard of proof applies to objectors or claimants objecting to their own water right claims. Rule 19, W.R.Adj.R.; *Nelson v. Brooks*, 2014 MT 120, ¶ 34, 375 Mont. 86, 329 P.3d 558.

3. The period of diversion (claims 41S 1422566-00, 41S 142293-00, 41S 142295-00, 41S 142299-00, 41S 142300-00); reservoir record (claims 41S 142266-00, 41S 142293-00, 41S 142295-00, 41S 142300-00); point of diversion (claim 41S 142297-00); source name (claim 41S 142300-00); and source name/means of diversion/period of diversion (claim 142299-00) issue remarks are notice-type remarks. No objections were filed, and no further proceedings are required.

RECOMMENDATIONS

1. Claims 41S 142266-00, 41S 142268-00, 41S 142285-00, 41S 142293-00, 41S 142294-00, 41S 142295-00, 41S 142296-00, 41S 142297-00, 41S 142299-00, 41S 142300-00, and 41S 142302-00 should be modified as follows:

- **Claim 41S 142266-00:** No modifications to the elements of the claim.
- **Claim 41S 142268-00:** No modifications to the elements of the claim.
- **Claim 41S 142285-00:** No modifications to the elements of the claim.
- **Claim 41S 142293-00:**

Volume: 615.00 AC-FT VF009: THE TOTAL VOLUME OF THIS RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

\*Reservoir: ONSTREAM Reservoir Name: NEUBERT POND

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	SWSWSE	26	16N	11E	JUDITH BASIN

Diversion to Reservoir: DIVERSION # 1

Dam Height: 48.00 FEET

Depth: 45.00 FEET

Surface Area: 2.15 ACRES

Capacity: 42.00 ACRE FEET

~~THE CAPACITY, DAM HEIGHT, MAXIMUM DEPTH, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.~~

- **Claim 41S 142294-00:**  
 Volume: 7.50 41.40 AC-FT

- **Claim 41S 142295-00:**  
Volume: 32.25 615.00 AC-FT

- **Claim 41S 142296-00:**  
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	26	16N	11E	JUDITH BASIN
Period of Diversion:		MAY 1 TO OCTOBER 15				
Diversion Means:		DIKE <span style="border: 1px solid red; padding: 2px;">HEADGATE</span>				

- **Claim 41S 142297-00:** No modifications to the elements of the claim.

- **Claim 41S 142299-00:**  
Volume: 6.35 505.00 AC-FT

- **Claim 41S 142300-00:**  
Flow Rate: 238.00 219.94 GPM  
Volume: 28.43 65.00 AC-FT  
Maximum Acres: 14.00 43.00

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	<span style="border: 1px solid red; padding: 2px;">8.00</span> 7.00		SW	26	16N	11E	JUDITH BASIN
2	3.00		SE	26	16N	11E	JUDITH BASIN
3	3.00		SW	26	16N	11E	JUDITH BASIN
<b>Total:</b>	<span style="border: 1px solid red; padding: 2px;">14.00</span> 14.00						

- **Claim 41S 142302-00:** No modifications to the elements of the claim.

2. The issue remarks should be removed from claims 41S 142266-00, 41S 142268-00, 41S 142285-00, 41S 142293-00, 41S 142294-00, 41S 142295-00, 41S 142296-00, 41S 142297-00, 41S 142299-00, 41S 142300-00, and 41S 142302-00.

Abstracts are attached for review.

**ELECTRONICALLY SIGNED AND DATED BELOW.**

**Service via Electronic Mail:**

Hertha L. Lund  
 Peter B. Taylor  
 Lund Law PLLC  
[Lund@Lund-Law.com](mailto:Lund@Lund-Law.com)  
[Taylor@Lund-Law.com](mailto:Taylor@Lund-Law.com)  
[paralegal@lund-law.com](mailto:paralegal@lund-law.com)

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

**Water Right Number:** 41S 142266-00 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** RW RANCH LLC  
PO BOX 176  
SIMMS, MT 59477-0176

**Priority Date:** JUNE 30, 1953

**Type of Historical Right:** FILED

**Purpose (Use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. 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 WOLF 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		NESENE	23	16N	11E	JUDITH BASIN

**\*Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

**\*Reservoir:** ONSTREAM **Reservoir Name:** ALLAN RANCH

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESENE	23	16N	11E	JUDITH BASIN

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 15.00 FEET

**Depth:** 12.00 FEET

**Surface Area:** 0.53 ACRES

**Capacity:** 2.54 ACRE-FEET

THE CAPACITY, DAM HEIGHT, MAXIMUM DEPTH, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

**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			NESENE	23	16N	11E	JUDITH BASIN

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

**Water Right Number:** 41S 142268-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** RW RANCH LLC  
PO BOX 176  
SIMMS, MT 59477-0176

**Priority Date:** JUNE 7, 1883

**Type of Historical Right:** DECREED

**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:** WOLF 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	35	16N	11E	JUDITH BASIN

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DITCH

**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			SE	26	16N	11E	JUDITH BASIN

**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.

142268-00      142293-00      142294-00      142297-00

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

**Water Right Number:** 41S 142285-00 STATEMENT OF CLAIM  
**Version:** 3 -- POST DECREE  
**Status:** ACTIVE

**Owners:** RW RANCH LLC  
PO BOX 176  
SIMMS, MT 59477-0176

**Priority Date:** DECEMBER 31, 1947

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. 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 HOLMES 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		NESWSE	19	15N	11E	JUDITH BASIN

**\*Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESWSE	19	15N	11E	JUDITH BASIN

**Diversion to Reservoir:** DIVERSION # 1

**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			NESWSE	19	15N	11E	JUDITH BASIN

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

**Water Right Number:** 41S 142293-00 STATEMENT OF CLAIM  
**Version:** 4 -- POST DECREE  
**Status:** ACTIVE

**Owners:** RW RANCH LLC  
PO BOX 176  
SIMMS, MT 59477-0176

**Priority Date:** JUNE 7, 1883

**Type of Historical Right:** DECREED

**Purpose (Use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 4.00 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:** 123.00

**Source Name:** WOLF 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		SESESW	26	16N	11E	JUDITH BASIN

**\*Period of Diversion:** MAY 1 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Period of Use:** MAY 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	10.00		E2SW	26	16N	11E	JUDITH BASIN
2	15.00		E2NW	26	16N	11E	JUDITH BASIN
3	15.00		NE	26	16N	11E	JUDITH BASIN
4	41.00		SE	23	16N	11E	JUDITH BASIN
5	42.00		NE	23	16N	11E	JUDITH BASIN

**Total:** 123.00

**Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

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.

142268-00

142293-00

142294-00

142297-00

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

**Water Right Number:** 41S 142294-00 STATEMENT OF CLAIM  
**Version:** 5 -- POST DECREE  
**Status:** ACTIVE

**Owners:** RW RANCH LLC  
PO BOX 176  
SIMMS, MT 59477-0176

**Priority Date:** JUNE 7, 1883

**Type of Historical Right:** DECREED

**\*Purpose (Use):** LAWN AND GARDEN

**Flow Rate:** 15.00 GPM

**Volume:** 7.50 AC-FT

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 3.00

**Source Name:** WOLF 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		SENENW	35	16N	11E	JUDITH BASIN

**Period of Diversion:** MAY 1 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Period of Use:** MAY 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	3.00		SWSWSE	26	16N	11E	JUDITH BASIN

**Total:** 3.00

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**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.

142268-00      142293-00      142294-00      142297-00

THE PURPOSE WAS AMENDED BY THE CLAIMANT ON 01/22/2009 PURSUANT TO SECTION 85-2-233(6), MCA.

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

**Water Right Number:** 41S 142295-00 STATEMENT OF CLAIM  
**Version:** 4 -- POST DECREE  
**Status:** ACTIVE

**Owners:** RW RANCH LLC  
PO BOX 176  
SIMMS, MT 59477-0176

**Priority Date:** DECEMBER 31, 1949

**Type of Historical Right:** FILED

**Purpose (Use):** IRRIGATION

**Irrigation Type:** FLOOD

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

**Volume:** 32.25 AC-FT

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 123.00

**Source Name:** WOLF 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		SESESW	26	16N	11E	JUDITH BASIN

**\*Period of Diversion:** MAY 1 TO OCTOBER 15

**Diversion Means:** HEADGATE

**\*Reservoir:** ONSTREAM **Reservoir Name:** NEUBERT POND

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWSWSE	26	16N	11E	JUDITH BASIN

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 18.00 FEET

**Depth:** 15.00 FEET

**Surface Area:** 2.15 ACRES

**Capacity:** 12.90 ACRE-FEET

THE CAPACITY, DAM HEIGHT, MAXIMUM DEPTH, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

**Period of Use:** MAY 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	10.00		E2SW	26	16N	11E	JUDITH BASIN
2	15.00		E2NW	26	16N	11E	JUDITH BASIN
3	15.00		W2NE	26	16N	11E	JUDITH BASIN

4	41.00	SE	23	16N	11E	JUDITH BASIN
5	42.00	NE	23	16N	11E	JUDITH BASIN
<b>Total:</b>	<u>123.00</u>					

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**Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

142293-00      142295-00      142296-00      142298-00      142299-00      142302-00

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

**Water Right Number:** 41S 142296-00 STATEMENT OF CLAIM  
**Version:** 4 -- POST DECREE  
**Status:** ACTIVE

**Owners:** RW RANCH LLC  
 PO BOX 176  
 SIMMS, MT 59477-0176

**Priority Date:** DECEMBER 31, 1950

**Type of Historical Right:** USE

**Purpose (Use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 4.36 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:** 115.00

**Source Name:** WOLF 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		SENWSE	26	16N	11E	JUDITH BASIN

**Period of Diversion:** MAY 1 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Period of Use:** MAY 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	5.00		NENWSE	26	16N	11E	JUDITH BASIN
2	70.00		NE	26	16N	11E	JUDITH BASIN
3	40.00		SESE	23	16N	11E	JUDITH BASIN

**Total:** 115.00

**Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

142293-00      142295-00      142296-00      142298-00      142299-00      142302-00

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

**Water Right Number:** 41S 142297-00 STATEMENT OF CLAIM  
**Version:** 4 -- POST DECREE  
**Status:** ACTIVE

**Owners:** RW RANCH LLC  
PO BOX 176  
SIMMS, MT 59477-0176

**Priority Date:** JUNE 7, 1883

**Type of Historical Right:** DECREED

**Purpose (Use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 4.00 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:** 17.00

**Source Name:** WOLF 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		SENENW	35	16N	11E	JUDITH BASIN

**Period of Diversion:** MAY 1 TO OCTOBER 15

**Diversion Means:** HEADGATE

**Period of Use:** MAY 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	5.00		NESE	26	16N	11E	JUDITH BASIN
2	12.00		SENE	26	16N	11E	JUDITH BASIN

**Total:** 17.00

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**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.

142268-00      142293-00      142294-00      142297-00

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

**Water Right Number:** 41S 142299-00 STATEMENT OF CLAIM  
**Version:** 4 -- POST DECREE  
**Status:** ACTIVE

**Owners:** RW RANCH LLC  
PO BOX 176  
SIMMS, MT 59477-0176

**Priority Date:** JUNE 30, 1953

**Type of Historical Right:** FILED

**Purpose (Use):** IRRIGATION

**Irrigation Type:** SPRINKLER/FLOOD

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

**Volume:** 6.35 AC-FT

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 101.00

**\*Source Name:** UNNAMED TRIBUTARY OF WOLF 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		NESENE	23	16N	11E	JUDITH BASIN

**\*Period of Diversion:** MAY 1 TO OCTOBER 31

**Diversion Means:** DAM

PUMP USED AS AN ADDITIONAL MEANS OF DIVERSION.

**\*Reservoir:** ONSTREAM **Reservoir Name:** ALLAN RANCH

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESENE	23	16N	11E	JUDITH BASIN

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 15.00 FEET

**Depth:** 12.00 FEET

**Surface Area:** 0.53 ACRES

**Capacity:** 2.54 ACRE-FEET

THE CAPACITY, DAM HEIGHT, MAXIMUM DEPTH, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

**Period of Use:** MAY 1 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	38.00		E2NE	23	16N	11E	JUDITH BASIN
2	15.00		SWNE	23	16N	11E	JUDITH BASIN

3	18.00	SENE	23	16N	11E	JUDITH BASIN
4	30.00	N2SE	23	16N	11E	JUDITH BASIN
<b>Total:</b>	101.00					

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**Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

142293-00      142295-00      142296-00      142298-00      142299-00      142302-00

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

**Water Right Number:** 41S 142300-00 STATEMENT OF CLAIM  
**Version:** 4 -- POST DECREE  
**Status:** ACTIVE

**Owners:** RW RANCH LLC  
PO BOX 176  
SIMMS, MT 59477-0176

**Priority Date:** DECEMBER 31, 1949

**Type of Historical Right:** USE

**Purpose (Use):** IRRIGATION

**Irrigation Type:** FLOOD

**Flow Rate:** 238.00 GPM

**Volume:** 28.43 AC-FT

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 14.00

**Source Name:** WOLF 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		SENENW	35	16N	11E	JUDITH BASIN

**\*Period of Diversion:** MAY 1 TO OCTOBER 15

**Diversion Means:** HEADGATE

**\*Reservoir:** OFFSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NEWSE	26	16N	11E	JUDITH BASIN

**Diversion to Reservoir:** DIVERSION # 1

**Dam Height:** 17.00 FEET

**Depth:** 14.00 FEET

**Surface Area:** 2.03 ACRES

**Capacity:** 11.37 ACRE-FEET

THE CAPACITY, DAM HEIGHT, MAXIMUM DEPTH, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

**Period of Use:** MAY 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	8.00		SWSE	26	16N	11E	JUDITH BASIN
2	3.00		SENWSE	26	16N	11E	JUDITH BASIN

3	<u>3.00</u>	SWNESE	26	16N	11E	JUDITH BASIN
<b>Total:</b>	14.00					

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

**Water Right Number:** 41S 142302-00 STATEMENT OF CLAIM  
**Version:** 4 -- POST DECREE  
**Status:** ACTIVE

**Owners:** RW RANCH LLC  
PO BOX 176  
SIMMS, MT 59477-0176

**Priority Date:** DECEMBER 31, 1912

**Type of Historical Right:** USE

**Purpose (Use):** IRRIGATION

**Irrigation Type:** FLOOD

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

**Volume:** 380.00 AC-FT

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 190.00

**\*Source Name:** SUBIRRIGATION, UNNAMED TRIBUTARY OF WOLF 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		E2	23	16N	11E	JUDITH BASIN

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** FLOWING

**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	190.00		E2	23	16N	11E	JUDITH BASIN

**Total:** 190.00

**Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

142293-00      142295-00      142296-00      142298-00      142299-00      142302-00