

Montana Water Court
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MONTANA WATER COURT
LOWER MISSOURI DIVISION
MILK RIVER, BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
INTERLOCUTORY DECREE

CLAIMANT: Antelope Ranch Inc.

OBJECTOR: State of Montana Board of Land Commissioners

CASE 400-0061-I-2024

400 30134608

400 30134611

400 30174017

400 30174018

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 State of Montana Board of Land Commissioners [“TLMD”] objected to each of these claims. Claim 400 30134608 appeared in the Interlocutory Decree with an issue remark.

On December 16, 2025, Antelope Ranch Inc. filed a Statement And Unopposed Motion

To Amend Statements Of Claim And Generate Implied Claims To Resolve Issue Remarks [“Unopposed Motion”]. The first paragraph of the Unopposed Motion states that counsel for TLMD reviewed the document and indicated that the changes requested including generation of the implied claims as described will resolve TLMD’s objections. TLMD did not file a response to the Unopposed Motion. The Unopposed Motion is viewable in the Court’s FullCourt Enterprise case management system.

APPLICABLE LAW

The Montana Water Court has jurisdiction over all matters relating to the determination of existing water rights. Section 3-7-224, MCA.

“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.

Rule 2(a)(33), W.R.C.E.R., states: “‘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)(63), W.R.C.E.R., states: “‘Split Claim’ means the division of one water right claim into two or more separate claims. When a claim is split, one portion of the claim maintains the original claim number and the other separated portions are assigned new claim numbers.”

A properly filed Statement of Claim for Existing Water Right is prima facie proof of its content pursuant to section 85-2-227, MCA. This prima facie proof may be contradicted and overcome by other evidence that proves, by a preponderance of the evidence, that the elements of the claim do not accurately reflect the beneficial use of the water right as it existed prior to July 1, 1973. This is the burden of proof for every assertion that a claim is incorrect including for claimants objecting to their own claims. Rule 19, W.R.Adj.R.

FINDINGS OF FACT

1. The Unopposed Motion requests generation of an implied claim from each of the claims in this Case. The Unopposed Motion does not request generating a second claim because two different water rights are claimed, a prerequisite for generating an implied claim. The request is to split each claimed right into two claims, one for each owner. Split claims

rather than implied claims should be generated for the TLMD portion of each claimed right.

2. Claim 400 30134608 appeared in the Interlocutory Decree with the following remarks:

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

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 400 30134608, 400 30143332, 400 184944-00, 400 135706-00.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON STATE LAND.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OR ALL OF THE PLACE OF USE APPEARS TO BE ON FEDERAL LAND.

A PORTION OF THE CLAIMED POINT OF DIVERSION AND PLACE OF USE DOES NOT MEET THE DEFINITION OF AN EXEMPT RIGHT UNDER 85-2-222, MCA, AND INVOLVES AN ON-STREAM RESERVOIR.

The first four remarks are notice remarks and should be removed as having served their notice purposes. The fourth remark is an issue remark. The Interlocutory Decree does not include an onstream reservoir for this claim. This issue remark should be removed as irrelevant.

3. Claim number 400 30134608 should be used for the Antelope Ranch Inc. portion of the claimed right. Split claim number 400 30174017 should be generated for the TLMD portion of the claimed right.

4. For claim 400 30134608, the Interlocutory Decree states that the point of diversion and place of use legal descriptions are:

<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
S2SW	17	29N	37E	VALLEY
W2W2	16	29N	37E	VALLEY
E2E2	16	29N	37E	VALLEY
W2	15	29N	37E	VALLEY
W2SE	15	29N	37E	VALLEY
SWSESE	15	29N	37E	VALLEY
NW	20	29N	37E	VALLEY
E2	20	29N	37E	VALLEY
E2E2	21	29N	37E	VALLEY
	22	29N	37E	VALLEY
	23	29N	37E	VALLEY
E2	24	29N	37E	VALLEY
S2NE	30	29N	37E	VALLEY
E2	30	29N	37E	VALLEY

NE	29	29N	37E	VALLEY
NESW	29	29N	37E	VALLEY
S2SW	29	29N	37E	VALLEY
N2	28	29N	37E	VALLEY
W2SE	28	29N	37E	VALLEY
	27	29N	37E	VALLEY
SW	26	29N	37E	VALLEY
SWSE	26	29N	37E	VALLEY
N2	26	29N	37E	VALLEY
N2	25	29N	37E	VALLEY
S2SE	25	29N	37E	VALLEY
N2NE	31	29N	37E	VALLEY
W2	32	29N	37E	VALLEY
E2	32	29N	37E	VALLEY
S2	33	29N	37E	VALLEY
SWNW	33	29N	37E	VALLEY
W2W2	34	29N	37E	VALLEY
E2	34	29N	37E	VALLEY
SW	35	29N	37E	VALLEY
NW	35	29N	37E	VALLEY
S2	36	29N	37E	VALLEY
NE	36	29N	37E	VALLEY
SWNW	36	29N	37E	VALLEY
E2NE	4	28N	37E	VALLEY
NESE	3	28N	37E	VALLEY
N2	2	28N	37E	VALLEY
SE	2	28N	37E	VALLEY
	1	28N	37E	VALLEY

The point of diversion and place of use legal descriptions should be:

<u>GOV'T LOT</u>	<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
	S2SW	17	29N	37E	VALLEY
	W2	15	29N	37E	VALLEY
	W2SE	15	29N	37E	VALLEY
	SWSESE	15	29N	37E	VALLEY
	NW	20	29N	37E	VALLEY
	E2	20	29N	37E	VALLEY
	E2E2	21	29N	37E	VALLEY
		22	29N	37E	VALLEY
		23	29N	37E	VALLEY
	NE	24	29N	37E	VALLEY
	S2NE	30	29N	37E	VALLEY
	E2	30	29N	37E	VALLEY
	NE	29	29N	37E	VALLEY
	NESW	29	29N	37E	VALLEY

	S2SW	29	29N	37E	VALLEY
	N2	28	29N	37E	VALLEY
	W2SE	28	29N	37E	VALLEY
	W2W2	27	29N	37E	VALLEY
	SW	26	29N	37E	VALLEY
	SWSE	26	29N	37E	VALLEY
	NW	26	29N	37E	VALLEY
1		25	29N	37E	VALLEY
10		25	29N	37E	VALLEY
	N2NE	31	29N	37E	VALLEY
	W2	32	29N	37E	VALLEY
	E2	32	29N	37E	VALLEY
	S2	33	29N	37E	VALLEY
	SWNW	33	29N	37E	VALLEY
	W2W2	34	29N	37E	VALLEY
	E2	34	29N	37E	VALLEY
	SW	35	29N	37E	VALLEY
	NW	35	29N	37E	VALLEY
	E2NE	4	28N	37E	VALLEY
	NESE	3	28N	37E	VALLEY
	N2	2	28N	37E	VALLEY
	SE	2	28N	37E	VALLEY
		1	28N	37E	VALLEY
7		24	29N	37E	VALLEY
12		24	29N	37E	VALLEY
2		25	29N	37E	VALLEY
10		25	29N	37E	VALLEY

5. Split claim 400 30174018 should be the same as claim 400 30134608 except the owner should be State of Montana Board of Land Commissioners, and the point of diversion and place of use legal descriptions should be:

<u>GOV'T LOT</u>	<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
	W2W2	16	29N	37E	VALLEY
	E2E2	16	29N	37E	VALLEY
11		24	29N	37E	VALLEY
	E2	27	29N	37E	VALLEY
	E2W2	27	29N	37E	VALLEY
	NE	26	29N	37E	VALLEY
	NW	25	29N	37E	VALLEY
3		25	29N	37E	VALLEY
4		25	29N	37E	VALLEY
5		25	29N	37E	VALLEY
6		25	29N	37E	VALLEY
11		25	29N	37E	VALLEY

12		25	29N	37E	VALLEY
	S2	36	29N	37E	VALLEY
	NE	36	29N	37E	VALLEY
	SWNW	36	29N	37E	VALLEY

6. Claim 400 30134611 appeared in the Interlocutory Decree with the following remarks:

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

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 400 30134611, 400 30143214, 400 135705-00.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON STATE LAND.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OR ALL OF THE PLACE OF USE APPEARS TO BE ON FEDERAL LAND.

These are notice remarks and should be removed as having served their notice purposes.

7. Claim number 400 30134611 should be used for the Antelope Ranch Inc. portion of the claimed right. Split claim number 400 30174018 should be generated for the TLMD portion of the claimed right.

8. For claim 400 30134611, the Interlocutory Decree states that the point of diversion and place of use legal descriptions are:

<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
W2SE	18	29N	37E	VALLEY
N2SE	18	29N	37E	VALLEY
N2NE	19	29N	37E	VALLEY
SENE	19	29N	37E	VALLEY
NENESE	19	29N	37E	VALLEY
S2NE	19	29N	37E	VALLEY
N2SE	19	29N	37E	VALLEY
S2SWNE	19	29N	37E	VALLEY
S2SE	19	29N	37E	VALLEY
SW	20	29N	37E	VALLEY
SWSWSW	20	29N	37E	VALLEY
NW	29	29N	37E	VALLEY
N2NWNW	29	29N	37E	VALLEY

The point of diversion and place of use legal descriptions should be:

<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
W2SE	18	29N	37E	VALLEY
N2SE	18	29N	37E	VALLEY

N2NE	19	29N	37E	VALLEY
SENE	19	29N	37E	VALLEY
S2NE	19	29N	37E	VALLEY
S2SWNE	19	29N	37E	VALLEY
SW	20	29N	37E	VALLEY
SWSWSW	20	29N	37E	VALLEY
NW	29	29N	37E	VALLEY
N2NWNW	29	29N	37E	VALLEY

9. Split claim 400 30174018 should be the same as claim 400 30134611 except the point of diversion and place of use legal descriptions should be:

<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
NENESE	19	29N	37E	VALLEY
N2SE	19	29N	37E	VALLEY
S2SE	19	29N	37E	VALLEY

CONCLUSION OF LAW

The Unopposed Motion provides sufficient information to split claims 400 30134608 and 400 30134611 as requested and is sufficient to contradict and overcome the prima facie claims and resolve the issue remark without evidentiary hearing. Section 85-2-248(3), (11), MCA.

RECOMMENDATIONS

Based upon the above Findings of Fact and Conclusion of Law, this Master recommends that the Court split claims 400 30134608 and 400 30134611 as requested 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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 (atty for: State of Montana Board of Land
 Commissioners)

(atty for: Antelope Ranch Inc.)

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

Water Right Number: 400 30134608 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: ANTELOPE RANCH INC
584 BILLINGSLEY RD
GLASGOW, MT 59230-2830

Priority Date: DECEMBER 31, 1923

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: ANTELOPE CREEK

Source Type: SURFACE WATER

Source Name: UNNAMED TRIBUTARY OF ANTELOPE 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>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2SW	17	29N	37E	VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK						
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
2		W2	15	29N	37E	VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK						
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
3		W2SE	15	29N	37E	VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK						
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
4		SWSESE	15	29N	37E	VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK						
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						

5	NW	20	29N	37E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
6	E2	20	29N	37E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
7	E2E2	21	29N	37E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
8		22	29N	37E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
9		23	29N	37E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
10	NE	24	29N	37E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
11	S2NE	30	29N	37E	VALLEY
Source Name:	ANTELOPE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
12	E2	30	29N	37E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
13	NE	29	29N	37E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
14	NESW	29	29N	37E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
15	S2SW	29	29N	37E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK				

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
16 N2 28 29N 37E VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
17 W2SE 28 29N 37E VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
18 W2W2 27 29N 37E VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
19 SW 26 29N 37E VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
20 SWSE 26 29N 37E VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
21 NW 26 29N 37E VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
22 1 25 29N 37E VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
23 10 25 29N 37E VALLEY
Source Name: ANTELOPE CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
24 N2NE 31 29N 37E VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
25 W2 32 29N 37E VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means:	LIVESTOCK DIRECT FROM SOURCE
26	E2 32 29N 37E VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion:	JANUARY 1 TO DECEMBER 31
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE
27	S2 33 29N 37E VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion:	JANUARY 1 TO DECEMBER 31
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE
28	SWNW 33 29N 37E VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion:	JANUARY 1 TO DECEMBER 31
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE
29	W2W2 34 29N 37E VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion:	JANUARY 1 TO DECEMBER 31
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE
30	E2 34 29N 37E VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion:	JANUARY 1 TO DECEMBER 31
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE
31	S2 35 29N 37E VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion:	JANUARY 1 TO DECEMBER 31
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE
32	NW 35 29N 37E VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion:	JANUARY 1 TO DECEMBER 31
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE
33	E2NE 4 28N 37E VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion:	JANUARY 1 TO DECEMBER 31
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE
34	NESE 3 28N 37E VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion:	JANUARY 1 TO DECEMBER 31
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE
35	N2 2 28N 37E VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion:	JANUARY 1 TO DECEMBER 31
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE
36	SE 2 28N 37E VALLEY

Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
37 1 28N 37E VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
38 7 24 29N 37E VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
39 12 24 29N 37E VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
40 2 25 29N 37E VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
41 10 25 29N 37E VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE 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			S2SW	17	29N	37E	VALLEY
2			W2	15	29N	37E	VALLEY
3			W2SE	15	29N	37E	VALLEY
4			SWSESE	15	29N	37E	VALLEY
5			NW	20	29N	37E	VALLEY
6			E2	20	29N	37E	VALLEY
7			E2E2	21	29N	37E	VALLEY
8				22	29N	37E	VALLEY
9				23	29N	37E	VALLEY
10			NE	24	29N	37E	VALLEY
11			S2NE	30	29N	37E	VALLEY
12			E2	30	29N	37E	VALLEY
13			NE	29	29N	37E	VALLEY
14			NESW	29	29N	37E	VALLEY
15			S2SW	29	29N	37E	VALLEY
16			N2	28	29N	37E	VALLEY
17			W2SE	28	29N	37E	VALLEY
18			W2W2	27	29N	37E	VALLEY

19		SW	26	29N	37E	VALLEY
20		SWSE	26	29N	37E	VALLEY
21		NW	26	29N	37E	VALLEY
22	1		25	29N	37E	VALLEY
23	10		25	29N	37E	VALLEY
24		N2NE	31	29N	37E	VALLEY
25		W2	32	29N	37E	VALLEY
26		E2	32	29N	37E	VALLEY
27		S2	33	29N	37E	VALLEY
28		SWNW	33	29N	37E	VALLEY
29		W2W2	34	29N	37E	VALLEY
30		E2	34	29N	37E	VALLEY
31		S2	35	29N	37E	VALLEY
32		NW	35	29N	37E	VALLEY
33		E2NE	4	28N	37E	VALLEY
34		NESE	3	28N	37E	VALLEY
35		N2	2	28N	37E	VALLEY
36		SE	2	28N	37E	VALLEY
37			1	28N	37E	VALLEY
38	7		24	29N	37E	VALLEY
39	12		24	29N	37E	VALLEY
40	2		25	29N	37E	VALLEY
41	10		25	29N	37E	VALLEY

Remarks:

SPLIT CLAIM NO. 40O 30174017 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

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

Water Right Number: 400 30134611 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: ANTELOPE RANCH INC
584 BILLINGSLEY RD
GLASGOW, MT 59230-2830

Priority Date: DECEMBER 31, 1923

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: HARDSCRABBLE CREEK

Source Type: SURFACE WATER

***Source Name:** BOB COULEE

Source Type: SURFACE WATER

***Source Name:** UNNAMED TRIBUTARY OF BOB COULEE

Source Type: SURFACE WATER

Source Name: UNNAMED TRIBUTARY OF HARDSCRABBLE 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>Twp</u>	<u>Rge</u>	<u>County</u>
1		W2SE	18	29N	37E	VALLEY

***Source Name:** BOB COULEE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		N2SE	18	29N	37E	VALLEY
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***Source Name:** UNNAMED TRIBUTARY OF BOB COULEE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

3		N2NE	19	29N	37E	VALLEY
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***Source Name:** BOB COULEE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

4 SENE 19 29N 37E VALLEY

***Source Name:** BOB COULEE
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

5 S2NE 19 29N 37E VALLEY

Source Name: HARDSCRABBLE CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

6 S2SWNE 19 29N 37E VALLEY

Source Name: UNNAMED TRIBUTARY OF HARDSCRABBLE CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

7 SW 20 29N 37E VALLEY

Source Name: HARDSCRABBLE CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

8 SWSWSW 20 29N 37E VALLEY

Source Name: UNNAMED TRIBUTARY OF HARDSCRABBLE CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

9 NW 29 29N 37E VALLEY

Source Name: HARDSCRABBLE CREEK
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

10 N2NWNW 29 29N 37E VALLEY

Source Name: UNNAMED TRIBUTARY OF HARDSCRABBLE 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</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2SE	18	29N	37E	VALLEY
2			N2SE	18	29N	37E	VALLEY
3			N2NE	19	29N	37E	VALLEY
4			SENE	19	29N	37E	VALLEY
5			S2NE	19	29N	37E	VALLEY
6			S2SWNE	19	29N	37E	VALLEY
7			SW	20	29N	37E	VALLEY
8			SWSWSW	20	29N	37E	VALLEY
9			NW	29	29N	37E	VALLEY
10			N2NWNW	29	29N	37E	VALLEY

Remarks:

SPLIT CLAIM NO. 40O 30174018 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

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

Water Right Number: 400 30174017 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: ANTELOPE RANCH INC
584 BILLINGSLEY RD
GLASGOW, MT 59230-2830

Priority Date: DECEMBER 31, 1923

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: ANTELOPE CREEK

Source Type: SURFACE WATER

Source Name: UNNAMED TRIBUTARY OF ANTELOPE 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>Twp</u>	<u>Rge</u>	<u>County</u>
1		W2W2	16	29N	37E	VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK						
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
2		E2E2	16	29N	37E	VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK						
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
3	11		24	29N	37E	VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK						
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
4		E2	27	29N	37E	VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE CREEK						
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						

5	E2W2	27	29N	37E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
6	NE	26	29N	37E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
7	NW	25	29N	37E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
8	3	25	29N	37E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
9	4	25	29N	37E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
10	5	25	29N	37E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
11	6	25	29N	37E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
12	11	25	29N	37E	VALLEY
Source Name:	ANTELOPE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
13	12	25	29N	37E	VALLEY
Source Name:	ANTELOPE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
14	S2	36	29N	37E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK				
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
15	NE	36	29N	37E	VALLEY
Source Name:	UNNAMED TRIBUTARY OF ANTELOPE CREEK				

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
 16 SWNW 36 29N 37E VALLEY
Source Name: UNNAMED TRIBUTARY OF ANTELOPE 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			W2W2	16	29N	37E	VALLEY
2			E2E2	16	29N	37E	VALLEY
3		11		24	29N	37E	VALLEY
4			E2	27	29N	37E	VALLEY
5			E2W2	27	29N	37E	VALLEY
6			NE	26	29N	37E	VALLEY
7			NW	25	29N	37E	VALLEY
8		3		25	29N	37E	VALLEY
9		4		25	29N	37E	VALLEY
10		5		25	29N	37E	VALLEY
11		6		25	29N	37E	VALLEY
12		11		25	29N	37E	VALLEY
13		12		25	29N	37E	VALLEY
14			S2	36	29N	37E	VALLEY
15			NE	36	29N	37E	VALLEY
16			SWNW	36	29N	37E	VALLEY

Remarks:

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 400 30134608.

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

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

Water Right Number: 400 30174018 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: ANTELOPE RANCH INC
584 BILLINGSLEY RD
GLASGOW, MT 59230-2830

Priority Date: DECEMBER 31, 1923

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: HARDSCRABBLE CREEK

Source Type: SURFACE WATER

Source Name: BOB COULEE

Source Type: SURFACE WATER

Source Name: UNNAMED TRIBUTARY OF HARDSCRABBLE 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>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENESE	19	29N	37E	VALLEY

Source Name: BOB COULEE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		N2SE	19	29N	37E	VALLEY
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Source Name: HARDSCRABBLE CREEK

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

3		S2SE	19	29N	37E	VALLEY
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Source Name: UNNAMED TRIBUTARY OF HARDSCRABBLE 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			NENESE	19	29N	37E	VALLEY
2			N2SE	19	29N	37E	VALLEY
3			S2SE	19	29N	37E	VALLEY

Remarks:

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 400 30134611.

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