

Montana Water Court
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MONTANA WATER COURT
UPPER MISSOURI DIVISION
BOULDER RIVER, TRIBUTARY OF THE JEFFERSON RIVER
BASIN 41E
PRELIMINARY DECREE

CLAIMANT: Golden Sunlight Mines Inc.

OBJECTOR: Golden Sunlight Mines Inc.

NOTICE OF INTENT TO APPEAR: United States, DOI Bureau of
Reclamation

CASE 41E-0183-R-2024
41E 143432-00
41E 143433-00
41E 143434-00
41E 193642-00
41E 30173989
41E 30173990

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

Golden Sunlight Mines Inc. objected to each of these claims. The United States of America (Bureau of Reclamation) filed a notice of intent to appear for each claim. On March 10, 2025, Claimant/Objector Golden Sunlight Mines Inc.'s Unopposed Motion To Amend To Resolve Objections And Brief In Support [Doc. 13-15] ["Motion"] was filed. As all of the requested changes are to elements already at issue by objection, this is not a motion to amend filed pursuant to section 85-2-233(6), MCA. On March 27, 2025, the United States' Statement Regarding NOIA [Doc. 16] was filed. On July 14, 2025 the Order Setting Filing Deadline [Doc. 17] was issued identifying various questions or concerns, and setting a deadline for filing the needed additional evidence or information to support the Motion. On December 18, 2025, Claimant/Objector Golden Sunlight Mines Inc.'s Submission Of Additional Evidence And Information To Support Motion To Amend [Doc.23] ["Additional Evidence And Information"] was filed. The Additional Evidence And Information, particularly the Declaration Of Leonard W. Huckaba, provides all the requested supporting evidence or information. These documents are viewable in the Court's FullCourt Enterprise case management system.

APPLICABLE LAW

From 43BV-6014-A-2019 "Cremer Rodeo Land and Livestock Company et al." Final Order On Motion To Amend 10-1-2020, at 2020 Mont. Water LEXIS 501, page 11:

"Marshaling" is not a term defined in the Water Use Act or in the DNRC's claims examination rules or the Water Right Adjudication Rules. In general, marshaling is a descriptive term that may refer to actions such as combining water conveyances from different ditches into a single ditch, combining water rights from different places of use on a single place of use, or using multiple water rights with formerly distinct places of use on the combined places of use for all of those rights. *In re Open A Ranch, Inc.*, Case 41B-72, 2020 Mont. Water LEXIS 356, *39 (June 20, 2020). In each situation "the common denominator in all the definitions ... is that a change in the historical water usage has taken place." *In re Wales Brothers*, Marshaling Order, Case 76F-1, 2010 Mont. Water LEXIS 2, * 10 (Oct. 15, 2010).

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

From 41P-108 "Circle S Ranch, Inc." Order On Motion To Modify Claims 5-16-19, at 2019

Mont. Water LEXIS 8, page 5:

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

A priority date represents the relative seniority of a particular right to others on the claimed source or hydrologic system. If the exact date of appropriation is unknown, a date which preserves that relative priority is the best that can be done.

The date of an appropriation appearing in a water right decree is material only in its relation to the question of priority. (*St. Onge v. Blakely*, 76 Mont. 1, 245 P. 532.) There is, therefore, no valid objection to the fixing of an arbitrary date of appropriation, and, if an incorrect date is given, the error is harmless unless the objecting claimant can show that his right antedates the date fixed for another instead of being subsequent thereto, as appears from the decree. (*Geary v. Harper*, 92 Mont. 242, 12 P. 2d 276; *McDonald v. Lannen*, 19 Mont. 78, 47 P. 648.)

Vidal v. Kensler, 100 Mont. 592, 594 (1935).

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. For claims 41E 143432-00, 41E 143433-00, and 41E 143434-00, the Preliminary Decree identifies a different ditch for each claim and various places of use within sections 2 and 3 T1N, R3W, JEFFERSON and/or section 35 T2N, R3W, JEFFERSON. The total number of acres claimed is 358.00 acres. The requested implied claim from 41E 143432-00 removes 35.00 acres for a different water right. The total acres irrigated as shown on the abstracts then becomes 323.00 acres. The Motion requests the Court determine these three claims were historically marshaled, that all three points of diversion be added to each claim, and that a single place of use totaling 302.00 acres in sections 2 and 3 T1N, R3W, JEFFERSON and section 35 T2N, R3W, JEFFERSON be added to each claim.

The Declaration Of Leonard W. Huckaba clearly evidences marshaling of these three claims since the 1950s (perhaps even earlier) through today on what was known as Candlestick Ranch. His grandparents owned and irrigated Candlestick Ranch. His father and uncle assisted with the irrigation of the property. Paragraphs 10 and 11 of the Declaration state:

10. Most of the Candlestick Ranch is still flood irrigated from these three ditches, and it is irrigated using the same methods that were used by my grandparents. The irrigation ditches on the Candlestick Ranch are in the same locations and are the same sizes as they were when I was a child. I am familiar with the ditch locations and sizes because I used to float down all the irrigation ditches in innertubes before I was old enough to help with the task of irrigating.

11. Everything on the Candlestick Ranch that is flood-irrigated is flooded at the same time. To flood irrigate, we take whatever water is available at the diversions and turn it into the ditches until the ditches are bank full, and then we direct the water wherever it is needed on the ranch. The ditches on the ranch have never been managed so that one water right is diverted into just one ditch or used on just one field. All of the water rights are commingled, diverted into any of the ditches and used on any of the irrigated ground, as is needed to effectively irrigate the fields. To the best of my knowledge and recollection, this is the same way the Candlestick Ranch was irrigated for decades, including when my grandparents were running the ranch.

Claims 41E 143432-00, 41E 143433-00, and 41E 143434-00 were marshaled long before July 1, 1973. The point of diversion and place of use for each claim should be amended as requested to describe that marshaling. The standard supplemental rights remark should be added to the abstracts of these three claims.

2. A review of the Statement of Claim 41E 143432-00 and its attachments shows that the claimed use is for irrigation, the claimed priority date is "1868", and two different Notices of Water Right are attached. The first Notice Of Water Right is for an Edward Cardwell 1868 1000 miner's inch Boulder River appropriation diverted in section 2, T1N, R3W. The second Notice Of Water Right is for an Edward Cardwell March 14, 1896 30 miner's inch "Cardwell or Long Springs" appropriation, legal description not included on the copy. The Motion states that a 35.00 acre portion of the claimed place of use was not irrigated by the 1868 appropriation but by a much later appropriation and an implied claim should be generated for that later appropriation. The Motion requests generation of an implied claim for the 1896 Long Springs appropriation based on the second Notice Of Water Right.

Claim 41E 143432-00 should continue to be used for the 1868 Boulder River appropriation based on the Cardwell Notice of Water Right. Implied claim 41E 30173989 should be generated for the 35.00 acre portion of claim 41E 143432-00 irrigated by a 1972 use right. Implied claim number 41E 30173990 should be generated for the 1896 Long Springs appropriation for stockwater.

3. For claim 41E 143432-00, the Preliminary Decree states that the flow rate is 6.38 CFS. The flow rate should be 9.88 CFS.

The Preliminary Decree states that the maximum acres irrigated is 168.30 and the place of use is:

<u>ACRES</u>	<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
117.30	E2	2	1N	3W	JEFFERSON
23.00	SWSE	35	2N	3W	JEFFERSON
6.00	NWNWSE	35	2N	3W	JEFFERSON
2.00	NENSW	35	2N	3W	JEFFERSON
1.00	NESESW	35	2N	3W	JEFFERSON
<u>19.00</u>	E2NW	2	1N	3W	JEFFERSON
168.30					

The maximum acres irrigated should be 302.00 and the place of use should be:

<u>ACRES</u>	<u>GOVT LOT</u>	<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
55.35		E2SW	35	2N	3W	JEFFERSON
26.47		W2SE	35	2N	3W	JEFFERSON
7.44		SWSW	35	2N	3W	JEFFERSON
65.34		NE	2	1N	3W	JEFFERSON
49.16		N2NW	2	1N	3W	JEFFERSON

10.13		SENW	2	1N	3W	JEFFERSON
2.75		NENSW	2	1N	3W	JEFFERSON
24.12		NWSE	2	1N	3W	JEFFERSON
41.65		E2SE	2	1N	3W	JEFFERSON
<u>19.59</u>	1	NENE	3	1N	3W	JEFFERSON
302.00						

The standard supplemental rights remark should be added referencing claims 41E 143432-00, 41E 143433-00, and 41E 143434-00.

The Preliminary Decree states that the point of diversion and means of diversion are:

<u>GOVT LOT</u>	<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
	SEENW	35	2N	3W	JEFFERSON

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Means of Diversion: HEADGATE

Ditch Name: CARDWELL DITCH

The point of diversion and means of diversion should be:

<u>GOVT LOT</u>	<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
	SEENW	35	2N	3W	JEFFERSON

Period of Diversion: APRIL 1 TO OCTOBER 15

Means of Diversion: HEADGATE

Ditch Name: CARDWELL DITCH

	NWSENW	35	2N	3W	JEFFERSON
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Period of Diversion: APRIL 1 TO OCTOBER 15

Means of Diversion: HEADGATE

Ditch Name: SHAW DITCH

2	NWNWNE	2	1N	3W	JEFFERSON
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Period of Diversion: APRIL 1 TO OCTOBER 15

Means of Diversion: HEADGATE

Ditch Name: HUCKABA DITCH

The Preliminary Decree states that the period of use is APRIL 1 TO SEPTEMBER 30. It should be APRIL 1 TO OCTOBER 15.

Claim 41E 193642-00 should be added to the multiple use remark.

The Preliminary Decree includes the following notice remark on the abstract of this claim:

DITCH NAME 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.

This remark should be removed as having served its notice purpose.

4. The elements of implied claim 41E 30173989 should be the same as 41E 143432-00 except: the priority date should be JULY 27, 1972; the type of historical right should be USE; the flow rate should be 1.33 CFS; the maximum acres should be 35.00; the place of use should be 35.00 NE section 2, T1N, R3W, JEFFERSON, and the points of diversion should just be for CARDWELL DITCH and HUCKABA DITCH.

5. The elements of implied claim 41E 30173990 are significantly different than 41E 143432-00 as it is for stockwater use from a different source based on the second Notice Of Water Right attached to Statement of Claim 41E 143432-00. The elements should be:

Priority Date: MARCH 14, 1896

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: SPRING, UNNAMED TRIBUTARY BOULDER RIVER
ALSO KNOWN AS LONG SPRINGS

Point of Diversion: SWNWSE 35, T2N, R3W, JEFFERSON

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: SWNWSE 35, T2N, R3W, JEFFERSON

6. For claim 41E 143433-00, the Preliminary Decree states that the flow rate is 5.12 CFS. The flow rate should be 13.63 CFS.

The Preliminary Decree states that the maximum acres irrigated is 135.00 and the place of use is:

<u>ACRES</u>	<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
63.00	SW	35	2N	3W	JEFFERSON
53.00	N2NW	2	1N	3W	JEFFERSON
<u>19.00</u>	NENE	3	1N	3W	JEFFERSON
135.00					

The maximum acres irrigated should be 302.00 and the place of use should be:

<u>ACRES</u>	<u>GOVT LOT</u>	<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
55.35		E2SW	35	2N	3W	JEFFERSON
26.47		W2SE	35	2N	3W	JEFFERSON
7.44		SWSW	35	2N	3W	JEFFERSON
65.34		NE	2	1N	3W	JEFFERSON
49.16		N2NW	2	1N	3W	JEFFERSON
10.13		SENW	2	1N	3W	JEFFERSON
2.75		NENESW	2	1N	3W	JEFFERSON
24.12		NWSE	2	1N	3W	JEFFERSON
41.65		E2SE	2	1N	3W	JEFFERSON
<u>19.59</u>	1	NENE	3	1N	3W	JEFFERSON
302.00						

The standard supplemental rights remark should be added referencing claims 41E 143432-00, 41E 143433-00, and 41E 143434-00.

The Preliminary Decree states that the point of diversion and means of diversion are:

<u>GOVT LOT</u>	<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
	NWSENW	35	2N	3W	JEFFERSON

Period of Diversion: APRIL 1 TO AUGUST 31

Means of Diversion: HEADGATE

Ditch Name: CARDWELL DITCH

The point of diversion and means of diversion should be:

<u>GOVT LOT</u>	<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
	NWSENW	35	2N	3W	JEFFERSON

Period of Diversion: APRIL 1 TO OCTOBER 15

Means of Diversion: HEADGATE

Ditch Name: SHAW DITCH

	SESENW	35	2N	3W	JEFFERSON
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Period of Diversion: APRIL 1 TO OCTOBER 15

Means of Diversion: HEADGATE

Ditch Name: CARDWELL DITCH

2	NWNWNE	2	1N	3W	JEFFERSON
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Period of Diversion: APRIL 1 TO OCTOBER 15

Means of Diversion: HEADGATE

Ditch Name: HUCKABA DITCH

The Preliminary Decree states that the period of use is APRIL 1 TO AUGUST 31. It should be APRIL 1 TO OCTOBER 15.

The Preliminary Decree includes the following notice remark on the abstract of this claim:

DITCH NAME AND POINT OF DIVERSION 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.

This remark should be removed as having served its notice purpose.

7. For claim 41E 143434-00, the Preliminary Decree states that the flow rate is 2.08 CFS. The flow rate should be 13.63 CFS.

The Preliminary Decree does not include a quantified volume. Instead, it includes the following standard remark:

THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

As requested, this remark should be removed and quantification 517.00 AC-FT should be added. To retain this volume quantification on this direct flow irrigation right, the following remark should be added:

THE VOLUME QUANTIFICATION ON THIS CLAIM IS THE RESULT OF UNOPPOSED MOTION TO AMEND FILED WITH THE WATER COURT ON 03/10/2025 . THE COURT HAS MADE NO DETERMINATION AS TO THE NEED FOR A VOLUME QUANTIFICATION ON THIS CLAIM AS PROVIDED FOR IN 85-2-234 (6) (b) (III) M.C.A.

The Preliminary Decree states that the maximum acres irrigated is 55.00 and the place of use is:

<u>ACRES</u>	<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
51.00	E2	2	1N	3W	JEFFERSON
1.00	SESENW	2	1N	3W	JEFFERSON
<u>3.00</u>	NENESW	2	1N	3W	JEFFERSON
55.00					

The maximum acres irrigated should be 302.00 and the place of use should be:

<u>ACRES</u>	<u>GOVT LOT</u>	<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
55.35		E2SW	35	2N	3W	JEFFERSON
26.47		W2SE	35	2N	3W	JEFFERSON
7.44		SWSW	35	2N	3W	JEFFERSON
65.34		NE	2	1N	3W	JEFFERSON
49.16		N2NW	2	1N	3W	JEFFERSON
10.13		SENW	2	1N	3W	JEFFERSON
2.75		NENESW	2	1N	3W	JEFFERSON
24.12		NWSE	2	1N	3W	JEFFERSON

41.65		E2SE	2	1N	3W	JEFFERSON
<u>19.59</u>	1	NENE	3	1N	3W	JEFFERSON
302.00						

The standard supplemental rights remark should be added referencing claims 41E 143432-00, 41E 143433-00, and 41E 143434-00.

The Preliminary Decree states that the point of diversion and means of diversion are:

<u>GOVT LOT</u>	<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
	NWNWNE	2	1N	3W	JEFFERSON

Period of Diversion: APRIL 1 TO AUGUST 30
 Means of Diversion: HEADGATE

The point of diversion and means of diversion should be:

<u>GOVT LOT</u>	<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
2	NWNWNE	2	1N	3W	JEFFERSON

Period of Diversion: APRIL 1 TO OCTOBER 15
 Means of Diversion: HEADGATE
 Ditch Name: HUCKABA DITCH

SENENW	35	2N	3W	JEFFERSON
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Period of Diversion: APRIL 1 TO OCTOBER 15
 Means of Diversion: HEADGATE
 Ditch Name: CARDWELL DITCH

NWSENW	35	2N	3W	JEFFERSON
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Period of Diversion: APRIL 1 TO OCTOBER 15
 Means of Diversion: HEADGATE
 Ditch Name: SHAW DITCH

The Preliminary Decree states that the period of use is APRIL 1 TO AUGUST 30. It should be APRIL 1 TO OCTOBER 15.

The Preliminary Decree includes the following notice remark on the abstract of this claim:

POINT OF DIVERSION 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.

This remark should be removed as having served its notice purpose.

8. For claim 41E 193642-00, the Preliminary Decree states that the flow rate is 2.08 CFS. The flow rate should be 3.75 CFS.

The Preliminary Decree states that the period of diversion and period of use are each

APRIL 1 TO AUGUST 31. The period of diversion and period of use should each be APRIL 1 TO OCTOBER 15.

This claim number should be added to the multiple use remark which appears on claim 41E 143432-00, and the remark should be added to this claim.

The Preliminary Decree includes the following notice remark on the abstract of this claim:

POINT OF DIVERSION 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.

This remark should be removed as having served its notice purpose.

CONCLUSIONS OF LAW

1. Statement of Claim 41E 143432-00, its attachments, and the Additional Evidence And Information are sufficient to generate two implied claims.
2. The Motion and Additional Evidence And Information are sufficient to contradict and overcome the prima facie claims.

RECOMMENDATIONS

Based upon the above Findings of Fact and Conclusion of Law, this Master recommends that the Court grant the Motion, generate implied claims 41E 30173989 and 41E 30173990, and make the changes specified in the Findings of Fact to correct the Preliminary 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

Service Via Electronic Mail:

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****Note: Caption Updated 2/27/2026****

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
BOULDER RIVER, TRIBUTARY TO JEFFERSON RIVER
BASIN 41E

Water Right Number: 41E 143432-00 STATEMENT OF CLAIM

Version: 5 -- POST DECREE

Status: ACTIVE

Owners: GOLDEN SUNLIGHT MINES INC
310 S MAIN ST STE 1150
SALT LAKE CITY, UT 84101-2114

Priority Date: DECEMBER 31, 1868

Type of Historical Right: FILED

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 9.88 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: 302.00

Source Name: BOULDER RIVER

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	2N	3W	JEFFERSON

Period of Diversion: APRIL 1 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: CARDWELL DITCH

2		NWSENW	35	2N	3W	JEFFERSON
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Period of Diversion: APRIL 1 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: SHAW DITCH

3	2	NWNWNE	2	1N	3W	JEFFERSON
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Period of Diversion: APRIL 1 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: HUCKABA DITCH

Period of Use: APRIL 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	55.35		E2SW	35	2N	3W	JEFFERSON
2	26.47		W2SE	35	2N	3W	JEFFERSON
3	7.44		SWSW	35	2N	3W	JEFFERSON

4	65.34		NE	2	1N	3W	JEFFERSON
5	49.16		N2NW	2	1N	3W	JEFFERSON
6	10.13		SEW	2	1N	3W	JEFFERSON
7	2.75		NENESW	2	1N	3W	JEFFERSON
8	24.12		NWSE	2	1N	3W	JEFFERSON
9	41.65		E2SE	2	1N	3W	JEFFERSON
10	19.59	1	NENE	3	1N	3W	JEFFERSON
Total:							
	302.00						

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.

143432-00 143433-00 143434-00

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.

143432-00 143437-00 193642-00

THE IMPLIED CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 41E 30173989 41E 30173990.

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BOULDER RIVER, TRIBUTARY TO JEFFERSON RIVER DRAINAGE (BASIN 41E) AND USES IT IN THE JEFFERSON RIVER DRAINAGE (BASIN 41G) AND THE BOULDER RIVER, TRIBUTARY TO JEFFERSON RIVER DRAINAGE (BASIN 41E).

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
BOULDER RIVER, TRIBUTARY TO JEFFERSON RIVER
BASIN 41E

Water Right Number: 41E 143433-00 STATEMENT OF CLAIM

Version: 5 -- POST DECREE

Status: ACTIVE

Owners: GOLDEN SUNLIGHT MINES INC
310 S MAIN ST STE 1150
SALT LAKE CITY, UT 84101-2114

Priority Date: DECEMBER 31, 1888

Type of Historical Right: FILED

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 13.63 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: 302.00

Source Name: BOULDER RIVER

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		NWSENW	35	2N	3W	JEFFERSON

Period of Diversion: APRIL 1 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: SHAW DITCH

2		SESESW	35	2N	3W	JEFFERSON
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Period of Diversion: APRIL 1 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: CARDWELL DITCH

3	2	NWNWNE	2	1N	3W	JEFFERSON
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Period of Diversion: APRIL 1 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: HUCKABA DITCH

Period of Use: APRIL 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	55.35		E2SW	35	2N	3W	JEFFERSON
2	26.47		W2SE	35	2N	3W	JEFFERSON
3	7.44		SWSW	35	2N	3W	JEFFERSON

4	65.34		NE	2	1N	3W	JEFFERSON
5	49.16		N2NW	2	1N	3W	JEFFERSON
6	10.13		SEW	2	1N	3W	JEFFERSON
7	2.75		NENESW	2	1N	3W	JEFFERSON
8	24.12		NWSE	2	1N	3W	JEFFERSON
9	41.65		E2SE	2	1N	3W	JEFFERSON
10	19.59	1	NENE	3	1N	3W	JEFFERSON
Total:							
	302.00						

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.

143432-00 143433-00 143434-00

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BOULDER RIVER, TRIBUTARY TO JEFFERSON RIVER DRAINAGE (BASIN 41E) AND USES IT IN THE JEFFERSON RIVER DRAINAGE (BASIN 41G) AND THE BOULDER RIVER, TRIBUTARY TO JEFFERSON RIVER DRAINAGE (BASIN 41E).

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
BOULDER RIVER, TRIBUTARY TO JEFFERSON RIVER
BASIN 41E

Water Right Number: 41E 143434-00 STATEMENT OF CLAIM

Version: 5 -- POST DECREE

Status: ACTIVE

Owners: GOLDEN SUNLIGHT MINES INC
310 S MAIN ST STE 1150
SALT LAKE CITY, UT 84101-2114

Priority Date: DECEMBER 31, 1886

Type of Historical Right: FILED

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 13.63 CFS

***Volume:** 517.00 AC-FT

THE VOLUME QUANTIFICATION ON THIS CLAIM IS THE RESULT OF UNOPPOSED MOTION TO AMEND FILED WITH THE WATER COURT ON 03/10/2025 . THE COURT HAS MADE NO DETERMINATION AS TO THE NEED FOR A VOLUME QUANTIFICATION ON THIS CLAIM AS PROVIDED FOR IN 85-2-234 (6) (b) (III) M.C.A.

Climatic Area: 3 - MODERATE

Maximum Acres: 302.00

Source Name: BOULDER RIVER

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	2	NWNWNE	2	1N	3W	JEFFERSON

Period of Diversion: APRIL 1 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: HUCKABA DITCH

2		SENENW	35	2N	3W	JEFFERSON
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Period of Diversion: APRIL 1 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: CARDWELL DITCH

3		NWSENW	35	2N	3W	JEFFERSON
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Period of Diversion: APRIL 1 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: SHAW DITCH

Period of Use: APRIL 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	55.35		E2SW	35	2N	3W	JEFFERSON

2	26.47		W2SE	35	2N	3W	JEFFERSON
3	7.44		SWSW	35	2N	3W	JEFFERSON
4	65.34		NE	2	1N	3W	JEFFERSON
5	49.16		N2NW	2	1N	3W	JEFFERSON
6	10.13		SEnw	2	1N	3W	JEFFERSON
7	2.75		NENESW	2	1N	3W	JEFFERSON
8	24.12		NWSE	2	1N	3W	JEFFERSON
9	41.65		E2SE	2	1N	3W	JEFFERSON
10	19.59	1	NENE	3	1N	3W	JEFFERSON
Total:							
	302.00						

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.

143432-00 143433-00 143434-00

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.

143434-00 143436-00

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BOULDER RIVER, TRIBUTARY TO JEFFERSON RIVER DRAINAGE (BASIN 41E) AND USES IT IN THE JEFFERSON RIVER DRAINAGE (BASIN 41G) AND THE BOULDER RIVER, TRIBUTARY TO JEFFERSON RIVER DRAINAGE (BASIN 41E).

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
BOULDER RIVER, TRIBUTARY TO JEFFERSON RIVER
BASIN 41E

Water Right Number: 41E 193642-00 STATEMENT OF CLAIM
Version: 3 -- POST DECREE
Status: ACTIVE

Owners: GOLDEN SUNLIGHT MINES INC
310 S MAIN ST STE 1150
SALT LAKE CITY, UT 84101-2114

Priority Date: DECEMBER 31, 1868

Type of Historical Right: FILED

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 3.75 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: 55.00

Source Name: BOULDER RIVER

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	26	2N	3W	JEFFERSON

Period of Diversion: APRIL 1 TO OCTOBER 15

Diversion Means: PUMP/HEADGATE W/DITCH OR PIPELINE

Period of Use: APRIL 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	2.00		SWSE	26	2N	3W	JEFFERSON
2	39.00		W2NE	35	2N	3W	JEFFERSON
3	14.00		E2E2NW	35	2N	3W	JEFFERSON

Total: 55.00

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.

143432-00 143437-00 193642-00

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
BOULDER RIVER, TRIBUTARY TO JEFFERSON RIVER
BASIN 41E

Water Right Number: 41E 30173989 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GOLDEN SUNLIGHT MINES INC
310 S MAIN ST STE 1150
SALT LAKE CITY, UT 84101-2114

Priority Date: JULY 27, 1972

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 1.33 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: 35.00

Source Name: BOULDER RIVER

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	2N	3W	JEFFERSON

Period of Diversion: APRIL 1 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: CARDWELL DITCH

2		NW	2	1N	3W	JEFFERSON
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Period of Diversion: APRIL 1 TO OCTOBER 15

Diversion Means: HEADGATE

Ditch Name: HUCKABA DITCH

Period of Use: APRIL 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	35.00		NE	2	1N	3W	JEFFERSON

Total: 35.00

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41E 143432-00.

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 41E DECREE ISSUED 10/19/2022.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
BOULDER RIVER, TRIBUTARY TO JEFFERSON RIVER
BASIN 41E

Water Right Number: 41E 30173990 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GOLDEN SUNLIGHT MINES INC
310 S MAIN ST STE 1150
SALT LAKE CITY, UT 84101-2114

Priority Date: MARCH 14, 1896

Type of Historical Right: FILED

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: SPRING, UNNAMED TRIBUTARY OF BOULDER RIVER

Source Type: SURFACE WATER

ALSO KNOWN AS LONG SPRINGS

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		SWNWSE	35	2N	3W	JEFFERSON

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			SWNWSE	35	2N	3W	JEFFERSON

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41E 143432-00.

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 41E DECREE ISSUED 10/19/2022.