

Montana Water Court  
PO Box 1389  
Bozeman, MT 59771-1389  
(406) 586-4364  
1-800-624-3270  
watercourt@mt.gov

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

\*\*\*\*\*

CLAIMANTS: Spanish Q Ranches LLC; Valley Garden Land &  
Cattle LLC

OBJECTORS: Spanish Q Ranches LLC; United States, DOI  
Bureau of Land Management

**CASE 41F-0190-R-2025**

41F 133871-00

41F 133901-00

**41F 30176980**

**41F 30176982**

**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**

**Procedural history**

Livestock direct from source stock claim 41F 133871-00 is currently owned by Spanish Q Ranches LLC ("Spanish Q"), Valley Garden Land & Cattle LLC ("Valley Garden"), and the United States, DOI Bureau of Land Management ("BLM"). Livestock

direct from source claim 41F 133901-00 is currently owned by Spanish Q and Valley Garden.

The BLM filed an objection to the ownership and source for stock claim 41F 133871-00, stating the claim should be split between the BLM and Spanish Q. Spanish Q filed an objection to the ownership, point of diversion, and place of use for claim 41F 133871-00, stating the claim should include Spanish Q lands in Section 26, Township 5 South, Range 2 West and the claim should be split.

The BLM filed an objection to the source, point of diversion, and place of use for irrigation claim 41F 133901-00, stating that federal land needs to be removed from the legal land descriptions identified by the claim. Spanish Q filed an objection to the point of diversion and place of use for claim 41F 133901-00, stating the legal land descriptions identified by the claim should be refined to remove land not owned by Spanish Q.

### **Findings of fact**

1. On July 1, 2026, Spanish Q and Valley Garden filed a Stipulation to Resolve Issues and Split of Claims. On July 7, 2026, the BLM filed a response to the stipulation stating that the terms of the stipulation resolved its objections to the claims.

2. The Stipulation refined the legal land descriptions for the claims and removed the BLM from the ownership of stock claim 41F 133871-00.

3. The Stipulation identified with detail the split proposed for each claim. Attached to and in support of the Stipulation, and the split of each claim, was a DNRC Form 641 “DNRC Ownership Update Divided Interest” for each claim. Attached to and in support of each Form 641 were a Warranty Deed from Spanish Q to Valley Garden, a Certificate of Survey, and a map depicting the point of diversion and place of use legal land descriptions for Spanish Q and Valley Garden. Each Form 641 was signed by a representative for Spanish Q and a representative for Valley Garden. (Ex. 6 and 7)

4. The Stipulation also proposed a modified source name for each claim. The modified source name is supported by a topographic map attached to each statement of claim. The topographic map overcomes the source name identified by each prima facie statement of claim.

5. The Stipulation and its attachments may be viewed on the court’s case

management system, FullCourt Enterprise, at document sequence 18.00.

6. Stock claims are normally quantified by volume. The volume is quantified by a formula: 30 gallons per day per animal unit. The total number of animal units served is identified by the statement of claim. The total number of livestock served by a parent claim, and the split claim generated from it, cannot exceed the original number of livestock identified by the statement of claim. Stock statement of claim 41F 133871-00 identifies 400 animal units.

7. The following modifications should be made to stock claim 41F 133871-00.

**Parent Stock Claim 41F 133871-00** (Owned by Spanish Q)

**OWNERSHIP:**

~~UNITED STATES, DOI BUREAU OF LAND MANAGEMENT~~

SPANISH Q RANCHES LLC

~~VALLEY GARDEN LAND & CATTLE LLC~~

**SOURCE:**                      ~~FLOYD CREEK~~                      **FLETCHER CREEK**

**VOLUME:**

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATER 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.

**CLAIM 41F 133871-00 IS LIMITED TO THE SERVICE OF 268 ANIMAL UNITS.**

**POINT OF DIVERSION AND PLACE OF USE:**

| <u>PARCEL ID</u> | <u>GOVT LOT</u> | <u>QTR SEC</u> | <u>SEC</u> | <u>TWP</u> | <u>RGE</u> | <u>COUNTY</u> |
|------------------|-----------------|----------------|------------|------------|------------|---------------|
| <del>1</del>     |                 | SWSWSE         | 10         | 5S         | 2W         | MADISON       |
| 1                |                 | NE             | 15         | 5S         | 2W         | MADISON       |
| 2                |                 | W2             | 14         | 5S         | 2W         | MADISON       |
| 3                |                 | <b>E2W2</b>    | 23         | 5S         | 2W         | MADISON       |
| 4                |                 | W2             | 26         | 5S         | 2W         | MADISON       |

**Remarks:**

**ADD TO POINT OF DIVERSION: POINT OF DIVERSION IN THE E2W2 OF SEC 23, T5S, R2W INCLUDES TRACT 2 BOOK 7 OF SURVEYS, PAGE 2804-O.**

**ADD TO PLACE OF USE: PLACE OF USE IN THE E2W2 OF SEC 23, T5S, R2W INCLUDES TRACT 2 BOOK 7 OF SURVEYS, PAGE 2804-O.**

**Remarks:**

**SPLIT CLAIM NO. 41F 30176980 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.**

**Split Stock Claim 41F 30176980** (Owned by Valley Garden)

**VOLUME:**

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATER 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.

**CLAIM 41F 30176980 IS LIMITED TO THE SERVICE OF 132 ANIMAL UNITS.**

**POINT OF DIVERSION AND PLACE OF USE:**

| <u>PARCEL ID</u> | <u>GOVT LOT</u> | <u>QTR SEC</u> | <u>SEC</u> | <u>TWP</u> | <u>RGE</u> | <u>COUNTY</u> |
|------------------|-----------------|----------------|------------|------------|------------|---------------|
| <del>1</del>     |                 | SWSWSE         | 10         | 5S         | 2W         | MADISON       |
| <del>2</del>     |                 | NE             | 15         | 5S         | 2W         | MADISON       |
| <del>3</del>     |                 | W2             | 14         | 5S         | 2W         | MADISON       |
| 2                |                 | E2W2           | 23         | 5S         | 2W         | MADISON       |
| 3                |                 | W2SE           | 23         | 5S         | 2W         | MADISON       |
| <del>5</del>     |                 | W2             | 26         | 5S         | 2W         | MADISON       |

**Remarks:**

**ADD TO POINT OF DIVERSION: POINT OF DIVERSION INCLUDES TRACT 1 BOOK 7 OF SURVEYS, PAGE 2804-O.**

**ADD TO PLACE OF USE: PLACE OF USE INCLUDES TRACT 1 BOOK 7 OF SURVEYS, PAGE 2804-O.**

**Remarks:**

**THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41F 133871-00.**

8. During Temporary Preliminary Decree proceedings, the Water Court adjudicated claim 41F 133901-00 modifying the purpose from irrigation to stock and specifically retaining the flow rate of 5.00 miner's inches (58.30 GPM) identified by prima facie statement of claim 41F 133901-00. *See* claim file Jul. 9, 1991 Master's Report and Nov. 24, 1992 Order Modifying and Adopting Master's Report. During reexamination, DNRC mistakenly removed the adjudicated, quantified flow rate identified by claim 41F 133901-00, adding an information remark for flow rate in error. The Stipulation and the Form 641 filed by Spanish Q and Valley Garden acknowledged the court's previous decision, splitting the quantified flow rate. To correct the DNRC's clerical error, the portion of the prima facie flow rate retained by each claimant, identified by the Form 641, and stipulated to by Spanish Q and Valley Garden, shall be identified by parent stock claim 41F 133901-00 and split stock claim 41F 30176982.

9. The following modifications should be made to stock claim 41F 133901-00.

**Parent Stock Claim 41F 133901-00** (Owned by Spanish Q)

**OWNERSHIP:**

SPANISH Q RANCHES LLC

VALLEY GARDEN LAND & CATTLE LLC

**SOURCE:** FLOYD CREEK FLETCHER CREEK

**FLOW RATE:** 38.75 GPM

~~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.~~

**POINT OF DIVERSION AND PLACE OF USE:**

| <u>PARCEL ID</u> | <u>GOVT LOT</u> | <u>QTR SEC</u> | <u>SEC</u> | <u>TWP</u> | <u>RGE</u> | <u>COUNTY</u> |
|------------------|-----------------|----------------|------------|------------|------------|---------------|
| <del>1</del>     |                 | SWSWSE         | 10         | 5S         | 2W         | MADISON       |
| 1                |                 | NE             | 15         | 5S         | 2W         | MADISON       |
| 2                |                 | W2             | 14         | 5S         | 2W         | MADISON       |
| 3                |                 | E2W2           | 23         | 5S         | 2W         | MADISON       |
| 4                |                 | W2             | 26         | 5S         | 2W         | MADISON       |

**Remarks:**

**ADD TO POINT OF DIVERSION: POINT OF DIVERSION IN THE E2W2 OF SEC 23, T5S, R2W INCLUDES TRACT 2 BOOK 7 OF SURVEYS, PAGE 2804-O.**

**ADD TO PLACE OF USE: PLACE OF USE IN THE E2W2 OF SEC 23, T5S, R2W INCLUDES TRACT 2 BOOK 7 OF SURVEYS, PAGE 2804-O.**

**Remarks:**

**SPLIT CLAIM NO. 41F 30176982 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.**

**Split Stock Claim 41F 30176982** (Owned by Valley Garden)

**FLOW RATE:** 19.25 GPM

~~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.~~

**POINT OF DIVERSION AND PLACE OF USE:**

| <u>PARCEL ID</u> | <u>GOVT LOT</u> | <u>QTR SEC</u> | <u>SEC</u> | <u>TWP</u> | <u>RGE</u> | <u>COUNTY</u> |
|------------------|-----------------|----------------|------------|------------|------------|---------------|
| 1                |                 | SWSWSE         | 10         | 5S         | 2W         | MADISON       |
| <del>2</del>     |                 | NE             | 15         | 5S         | 2W         | MADISON       |
| <del>3</del>     |                 | W2             | 14         | 5S         | 2W         | MADISON       |
| 2                |                 | E2W2           | 23         | 5S         | 2W         | MADISON       |
| 3                |                 | W2SE           | 23         | 5S         | 2W         | MADISON       |
| <del>5</del>     |                 | W2             | 26         | 5S         | 2W         | MADISON       |

**Remarks:**

**ADD TO POINT OF DIVERSION: POINT OF DIVERSION INCLUDES TRACT 1 BOOK 7 OF SURVEYS, PAGE 2804-O.**

**ADD TO PLACE OF USE: PLACE OF USE INCLUDES TRACT 1 BOOK 7 OF SURVEYS, PAGE 2804-O.**

**Remarks:**

**THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41F 133901-00.**

**Conclusions of law**

1. A properly filed Statement of Claim for Existing Water Right is prima facie proof of its content. Section 85-2-227, MCA. Prima facie proof may be overcome by other evidence that proves, by a preponderance of the evidence, that an element of the prima facie claim is incorrect. This is the burden of proof for every assertion that a claim is incorrect. Rule 19, W.R.Adj.R. A preponderance of the evidence is a “modest standard” and is evidence that demonstrates the fact to be proved is “more probable than not.” *Hohenlohe v. State*, 2010 MT 203, ¶ 33, 357 Mont. 348, 240 P.3d 628.

2. The Montana Water Court is permitted to use information submitted by the Department of Natural Resources and Conservation, the statement of claim, information from approved compacts, and any other data obtained by the Court to evaluate water right claims. Section 85-2-231(2), MCA.

3. The Water Court may split claims upon request of the claimants. Rule 26, W.R.Adj.R.

4. A clerical mistake or a mistake arising from omission or oversight may be corrected by the court at any time. Rule 60(a), M. R. Civ.P.

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

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

7. If the settlement agreement expands or enlarges an element of a claim, evidence meeting the burden of proof must be provided. If the evidence does not meet

the burden of proof, the element shall not be expanded or enlarged. Rule 17(b),  
W.R.Adj.R.

### **Recommendations**

Based upon the above Findings of Fact and Conclusions of Law, this Master recommends that the Court make the changes specified in the Findings of Fact to correct the Preliminary Decree for this Basin. Post Decree Abstracts of Water Right Claim accompany this report to confirm the recommendations have been implemented in the state's centralized water right record system.

### **Service via Electronic Mail**

Benjamin Sudduth  
Sudduth Law, PLLC  
benjamin@sudduthlaw.com  
(Attorney for Spanish Q Ranches LLC)

Rick C. Tappan  
Connlan W. Whyte  
Tappan Law Firm, PLLC  
rctappan@tappanlawfirm.com  
cwhyte@tappanlawfirm.com  
office@tappanlawfirm.com  
(Attorneys for Valley Garden Land and Cattle, LLC)

Romney S. Philpott, Trial Attorney  
US Department of Justice  
ENRD, Natural Resources Section  
romney.philpott@usdoj.gov  
montanabasins.enrd@usdoj.gov  
(Attorney for United States, DOI Bureau of Land Management)

**\*Note: Caption Updated 9-28-26\***

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

**Water Right Number:** 41F 133871-00 STATEMENT OF CLAIM

**Version:** 3 -- SPLIT POST DECREE

**Status:** ACTIVE

**Owners:** SPANISH Q RANCHES LLC  
PO BOX 1530  
ENNIS, MT 59729-1530

**Priority Date:** MAY 31, 1925

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**\*Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  
CLAIM 41F 133871-00 IS LIMITED TO THE SERVICE OF 268 ANIMAL UNITS.

**Source Name:** FLETCHER 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         |                 | NE             | 15         | 5S         | 2W         | MADISON       |

**Period of Diversion:** JUNE 1 TO NOVEMBER 15

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

|   |  |    |    |    |    |         |
|---|--|----|----|----|----|---------|
| 2 |  | W2 | 14 | 5S | 2W | MADISON |
|---|--|----|----|----|----|---------|

**Period of Diversion:** JUNE 1 TO NOVEMBER 15

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

|   |  |      |    |    |    |         |
|---|--|------|----|----|----|---------|
| 3 |  | E2W2 | 23 | 5S | 2W | MADISON |
|---|--|------|----|----|----|---------|

**Period of Diversion:** JUNE 1 TO NOVEMBER 15

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

|   |  |    |    |    |    |         |
|---|--|----|----|----|----|---------|
| 4 |  | W2 | 26 | 5S | 2W | MADISON |
|---|--|----|----|----|----|---------|

**Period of Diversion:** JUNE 1 TO NOVEMBER 15

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

POINT OF DIVERSION IN THE E2W2 OF SEC 23, T5S, R2W, MADISON COUNTY INCLUDES TRACT 2 BOOK 7 OF SURVEYS, PAGE 2804-O.

**Period of Use:** JUNE 1 TO NOVEMBER 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         |              |                 | NE             | 15         | 5S         | 2W         | MADISON       |

|   |      |    |    |    |         |
|---|------|----|----|----|---------|
| 2 | W2   | 14 | 5S | 2W | MADISON |
| 3 | E2W2 | 23 | 5S | 2W | MADISON |
| 4 | W2   | 26 | 5S | 2W | MADISON |

PLACE OF USE IN THE E2W2 OF SEC 23, T5S, R2W, MADISION COUNTY INCLUDES TRACT 2 BOOK 7 OF SURVEYS, PAGE 2804-O.

**Remarks:**

SPLIT CLAIM NO. 41F 30176980 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

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

**Water Right Number:** 41F 133901-00 STATEMENT OF CLAIM

**Version:** 3 -- SPLIT POST DECREE

**Status:** ACTIVE

**Owners:** SPANISH Q RANCHES LLC  
PO BOX 1530  
ENNIS, MT 59729-1530

**Priority Date:** JUNE 1, 1903

**Type of Historical Right:** DECREED

**\*Purpose (Use):** STOCK

**Flow Rate:** 38.75 GPM

**\*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.

**Climatic Area:** 4 - MODERATELY LOW

**Source Name:** FLETCHER 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         |                 | W2             | 14         | 5S         | 2W         | MADISON       |

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

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

|   |  |    |    |    |    |         |
|---|--|----|----|----|----|---------|
| 2 |  | NE | 15 | 5S | 2W | MADISON |
|---|--|----|----|----|----|---------|

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

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

|   |  |      |    |    |    |         |
|---|--|------|----|----|----|---------|
| 3 |  | E2W2 | 23 | 5S | 2W | MADISON |
|---|--|------|----|----|----|---------|

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

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

|   |  |    |    |    |    |         |
|---|--|----|----|----|----|---------|
| 4 |  | W2 | 26 | 5S | 2W | MADISON |
|---|--|----|----|----|----|---------|

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

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

POINT OF DIVERSION IN THE E2W2 OF SEC 23, T5S, R2W, MADISON COUNTY INCLUDES TRACT 2 BOOK 7 OF SURVEYS, PAGE 2804-O.

**\*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         |              |                 | W2             | 26         | 5S         | 2W         | MADISON       |
| 2         |              |                 | W2             | 14         | 5S         | 2W         | MADISON       |
| 3         |              |                 | NE             | 15         | 5S         | 2W         | MADISON       |

|                                                                                                                |      |    |    |    |         |
|----------------------------------------------------------------------------------------------------------------|------|----|----|----|---------|
| 4                                                                                                              | E2W2 | 23 | 5S | 2W | MADISON |
| PLACE OF USE IN THE E2W2 OF SEC 23, T5S, R2W, MADISION COUNTY INCLUDES TRACT 2 BOOK 7 OF SURVEYS, PAGE 2804-O. |      |    |    |    |         |

---

**Remarks:**

SPLIT CLAIM NO. 41F 30176982 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

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

**Water Right Number:** 41F 30176980 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** VALLEY GARDEN LAND & CATTLE LLC  
3000 TURTLE CREEK BLVD  
DALLAS, TX 75219-6268

**Priority Date:** MAY 31, 1925

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

**Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  
CLAIM 41F 30176980 IS LIMITED TO THE SERVICE OF 132 ANIMAL UNITS.

**Source Name:** FLETCHER 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         |                 | SWSWSE         | 10         | 5S         | 2W         | MADISON       |

**Period of Diversion:** JUNE 1 TO NOVEMBER 15

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

|   |  |      |    |    |    |         |
|---|--|------|----|----|----|---------|
| 2 |  | E2W2 | 23 | 5S | 2W | MADISON |
|---|--|------|----|----|----|---------|

**Period of Diversion:** JUNE 1 TO NOVEMBER 15

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

|   |  |      |    |    |    |         |
|---|--|------|----|----|----|---------|
| 3 |  | W2SE | 23 | 5S | 2W | MADISON |
|---|--|------|----|----|----|---------|

**Period of Diversion:** JUNE 1 TO NOVEMBER 15

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

POINT OF DIVERSION INCLUDES TRACT 1 BOOK 7 OF SURVEYS, PAGE 2804-O.

**Period of Use:** JUNE 1 TO NOVEMBER 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         |              |                 | SWSWSE         | 10         | 5S         | 2W         | MADISON       |
| 2         |              |                 | E2W2           | 23         | 5S         | 2W         | MADISON       |
| 3         |              |                 | W2SE           | 23         | 5S         | 2W         | MADISON       |

PLACE OF USE INCLUDES TRACT 1 BOOK 7 OF SURVEYS, PAGE 2804-O.

---

**Remarks:**

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41F 133871-00.

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

**Water Right Number:** 41F 30176982 STATEMENT OF CLAIM

**Version:** 1 -- ORIGINAL RIGHT

**Status:** ACTIVE

**Owners:** VALLEY GARDEN LAND & CATTLE LLC  
3000 TURTLE CREEK BLVD  
DALLAS, TX 75219-6268

**Priority Date:** JUNE 1, 1903

**Type of Historical Right:** DECREED

**\*Purpose (Use):** STOCK

**Flow Rate:** 19.25 GPM

**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.

**Climatic Area:** 4 - MODERATELY LOW

**Source Name:** FLETCHER 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         |                 | SWSWSE         | 10         | 5S         | 2W         | MADISON       |

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

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

|   |  |      |    |    |    |         |
|---|--|------|----|----|----|---------|
| 2 |  | E2W2 | 23 | 5S | 2W | MADISON |
|---|--|------|----|----|----|---------|

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

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

|   |  |      |    |    |    |         |
|---|--|------|----|----|----|---------|
| 3 |  | W2SE | 23 | 5S | 2W | MADISON |
|---|--|------|----|----|----|---------|

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

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

POINT OF DIVERSION INCLUDES TRACT 1 BOOK 7 OF SURVEYS, PAGE 2804-O.

**\*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         |              |                 | E2W2           | 23         | 5S         | 2W         | MADISON       |
| 2         |              |                 | SWSWSE         | 10         | 5S         | 2W         | MADISON       |
| 3         |              |                 | W2SE           | 23         | 5S         | 2W         | MADISON       |

PLACE OF USE INCLUDES TRACT 1 BOOK 7 OF SURVEYS, PAGE 2804-O.

---

**Remarks:**

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41F 133901-00.