

Montana Water Court  
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MONTANA WATER COURT  
YELLOWSTONE DIVISION  
YELLOWSTONE RIVER, FROM BRIDGER CREEK TO CLARKS FORK YELLOWSTONE  
BASIN 43QJ  
SECOND PRELIMINARY DECREE

\*\*\*\*\*

CLAIMANTS: David Ott; Gayle Ott

**CASE 43QJ-0118-R-2025**

43QJ 30138968  
43QJ 30138973  
43QJ 30138976  
43QJ 30138982  
43QJ 30138984  
43QJ 30138988  
43QJ 30138990  
43QJ 30138992  
43QJ 30138994  
43QJ 30138996

**NOTICE OF FILING OF SECOND 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.

## SECOND MASTER'S REPORT

David Ott and Gayle Ott claims 43QJ 30138968, 43QJ 30138973, 43QJ 30138976, 43QJ 30138982, 43QJ 30138984, 43QJ 30138988, 43QJ 30138990, 43QJ 30138992, 43QJ 30138994, and 43QJ 30138996 appeared in the Second Preliminary Decree with the following issue remark:

THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE MAY BE QUESTIONABLE.  
DOCUMENTATION TO SUPPORT THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE  
WAS NOT SUBMITTED WITH THIS CLAIM.

Two of these claims have additional issue remarks:

43QJ 30138973

THE PLACE OF USE LEGAL LAND DESCRIPTION COULD NOT BE REFINED FROM  
INFORMATION IN THE CLAIM FILE.

43QJ 30138982

THE PLACE OF USE LEGAL LAND DESCRIPTION COULD NOT BE REFINED FROM  
INFORMATION IN THE CLAIM FILE.

THE POINT OF DIVERSION LEGAL LAND DESCRIPTION COULD NOT BE REFINED FROM  
INFORMATION IN THE CLAIM FILE.

The issue remarks were not addressed through the objection process. The Water Court is required to resolve the issues raised by each issue remark. Section 85-2-248, MCA.

Due to the entry of the defaults of the claimants for their failures to comply with Court orders trying to address the issue remarks, a Master's Report was filed on January 22, 2026 recommending dismissal of each of the claims. (FCE Doc. 3.00) On March 12, 2026 the claimants filed their Objection to Master's Report ("Objection") providing much of the information needed to address the issue remarks. (FCE Doc. 6.00) On September 15, 2026 the claimants filed Supplemental Information Regarding Claims ("Supplemental Information") providing additional information. (FCE Doc. 12.00) These documents are viewable in the Court's FullCourt Enterprise case management system.

This Second Master's Report supersedes and replaces the January 22, 2026 Master's Report.

### APPLICABLE LAW

"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.

The Montana Water Court has jurisdiction to review a motion to amend pursuant to

section 85-2-233(6), MCA.

Rule 15, Montana Rules of Civil Procedure, restricts the scope of the amendments to the conduct, transaction, or occurrence set forth in the original pleading or, in other words, the “same set of operative facts as contained in the original pleading.” *Sooy v. Petrolane Steel Gas, Inc.*, 218 Mont. 418, 422-423, 708 P.2d 1014, 1017 (1985). The requested amendment “merely makes more specific what has already been alleged.” *Prentice Lumber Company v. Hukill*, 161 Mont. 8, 15, 504 P.2d 277, 281 (1972).

Notice must be published by newspaper if the requested amendments “may adversely affect other water rights.” Section 85-2-233(6)(a)(i), MCA.

“When the testimony of a witness is sufficient to prove an act or transaction within a certain period, but is so vague and uncertain as not to fix the time within that period, the best that can be done for the party producing such witness is to fix the date at the end of the period.” *Vidal v. Kensler*, 100 Mont. 592, 598 (1935). See also Rule 13(c), W.R.C.E.R.

A properly filed Statement of Claim for Existing Water Right is prima facie proof of its content pursuant to section 85-2-222, 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 claimants amending their own claims. Rule 19, W.R.Adj.R.

#### FINDINGS OF FACT

1. The Second Preliminary Decree includes the following remark on the abstract for each of these claims:

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 43QJ DECREE ISSUED 07/23/1985.

The remark should be removed from each abstract as having served its notice purpose.

2. For claim 43QJ 30138968, the Second Preliminary Decree does not include the type of historical right. The type of historical right should be USE. The issue remark should be removed as addressed and resolved.

The Objection and Supplemental Information include changing the source type and means of diversion. This is deemed claimants’ motion to amend claim. These changes arise out of the same conduct, transaction, or occurrence specified on the original Statement of Claim,

are based on the same operative facts specified in the original Statement of Claim, and merely make more specific that which was already claimed on the original Statement of Claim.

The Second Preliminary Decree states that the source type is GROUNDWATER. The source type should be SURFACE WATER.

The Second Preliminary Decree states that the means of diversion is SPRING BOX. The means of diversion should be LIVESTOCK DIRECT FROM SOURCE.

3. For claim 43QJ 30138973, the Second Preliminary Decree states that the priority date is OCTOBER 15, 1918. The Supplemental Information states: "Otts recently inspected the well head of this well and found the year 1917 inscribed in the cement of the well head." The priority date should be DECEMBER 31, 1917.

The Second Preliminary Decree does not include the type of historical right. The type of historical right should be USE. The issue remark should be removed as addressed and resolved.

The Second Preliminary Decree states that the place of use is section 12, T2S, R17E, SWEET GRASS. The place of use should be the NESESE section 12, T2S, R17E, SWEET GRASS. The issue remark should be removed as addressed and resolved.

4. For claim 43QJ 30138976, the Second Preliminary Decree states that the type of historical right is DECREED. The type of historical right should be USE. The priority date does not require change. The issue remark should be removed as addressed and resolved.

5. For claim 43QJ 30138982, the Second Preliminary Decree states that the type of historical right is DECREED. The type of historical right should be USE. The priority date does not require change. The issue remark should be removed as addressed and resolved.

The Second Preliminary Decree states that the point of diversion and place of use legal description is the NESW section 7, T2S, R18E, STILLWATER. The legal description for both should be the SENESW section 7, T2S, R18E, STILLWATER. The issue remarks should be removed as addressed and resolved.

The Objection and Supplemental Information include changing the source name, source type, and means of diversion. This is deemed claimants' motion to amend claim. These changes arise out of the same conduct, transaction, or occurrence specified on the original Statement of Claim, are based on the same operative facts specified in the original Statement of Claim, and merely make more specific that which was already claimed on the original Statement

of Claim.

The Second Preliminary Decree states that the source name is GROUNDWATER. The source name should be WHISTLE CREEK SPRINGS.

The Second Preliminary Decree states that the source type is GROUNDWATER. The source type should be SURFACE WATER.

The Second Preliminary Decree states that the means of diversion is SPRING BOX. The means of diversion should be LIVESTOCK DIRECT FROM SOURCE.

6. For claim 43QJ 30138984, the Second Preliminary Decree states that the type of historical right is DECREED. The type of historical right should be USE. The priority date does not require change. The issue remark should be removed as addressed and resolved.

7. For claim 43QJ 30138988, the Second Preliminary Decree states that the type of historical right is DECREED. The type of historical right should be USE. The priority date does not require change. The issue remark should be removed as addressed and resolved.

8. For claim 43QJ 30138990, the Second Preliminary Decree states that the type of historical right is DECREED. The type of historical right should be USE. The priority date does not require change. The issue remark should be removed as addressed and resolved.

9. For claim 43QJ 30138992, the Second Preliminary Decree states that the type of historical right is DECREED. The type of historical right should be USE. The priority date does not require change. The issue remark should be removed as addressed and resolved.

10. For claim 43QJ 30138994, the Second Preliminary Decree states that the type of historical right is DECREED. The type of historical right should be USE. The priority date does not require change. The issue remark should be removed as addressed and resolved.

The Objection and Supplemental Information include changing the source name, source type, and means of diversion. This is deemed claimants' motion to amend claim. These changes arise out of the same conduct, transaction, or occurrence specified on the original Statement of Claim, are based on the same operative facts specified in the original Statement of Claim, and merely make more specific that which was already claimed on the original Statement of Claim.

The Second Preliminary Decree states that the source name is GROUNDWATER. The source name should be UNNAMED TRIBUTARY OF COUNTRYMAN CREEK, NORTH FORK.

The Second Preliminary Decree states that the source type is GROUNDWATER. The source type should be SURFACE WATER.

The Second Preliminary Decree states that the means of diversion is SPRING BOX. The means of diversion should be LIVESTOCK DIRECT FROM SOURCE.

11. For claim 43QJ 30138996, the Second Preliminary Decree states that the type of historical right is DECREED. The type of historical right should be USE. The priority date does not require change. The issue remark should be removed as addressed and resolved.

#### CONCLUSIONS OF LAW

1. The requested amendments do not adversely affect other water rights as they are corrections to the abstracts which do not make any changes to the actual historical use of the claimed rights on the ground. Notice by publication of these amendments is not required. Section 85-2-233(6), MCA.

2. Each of the requested amendments “merely makes more specific what has already been alleged.” *Prentice Lumber Company v. Hukill*, 161 Mont. 8, 15, 504 P.2d 277, 281 (1972).

3. The Objection and Supplemental Information are sufficient to contradict and overcome the prima facie claims as they appeared in the Second Preliminary Decree.

#### 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 Second 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.

#### Service via Electronic Mail:

Afton E. Ball  
MOULTON BELLINGHAM PC  
afton@cflawfirm.net  
(Attorney for David Ott and Gayle Ott)

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**YELLOWSTONE RIVER, FROM BRIDGER CREEK TO CLARKS FORK YELLOWSTONE**  
**BASIN 43QJ**

**Water Right Number:** 43QJ 30138968 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** DAVID OTT  
PO BOX 56  
REED POINT, MT 59069

GAYLE OTT  
PO BOX 56  
REED POINT, MT 59069

**Priority Date:** NOVEMBER 7, 1917

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** 35.00 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.

**Source Name:** SPRING, UNNAMED TRIBUTARY OF HUMP 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         |                 | NESESW         | 12         | 2S         | 17E        | SWEET GRASS   |

**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         |              |                 | NESESW         | 12         | 2S         | 17E        | SWEET GRASS   |

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**YELLOWSTONE RIVER, FROM BRIDGER CREEK TO CLARKS FORK YELLOWSTONE**  
**BASIN 43QJ**

**Water Right Number:** 43QJ 30138973 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** DAVID OTT  
PO BOX 56  
REED POINT, MT 59069

GAYLE OTT  
PO BOX 56  
REED POINT, MT 59069

**Priority Date:** DECEMBER 31, 1917

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** 10.00 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.

**\*Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**\*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         |                 | NESESE         | 12         | 2S         | 17E        | SWEET GRASS   |

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

**Diversion Means:** WELL

**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         |              |                 | NESESE         | 12         | 2S         | 17E        | SWEET GRASS   |

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**YELLOWSTONE RIVER, FROM BRIDGER CREEK TO CLARKS FORK YELLOWSTONE**  
**BASIN 43QJ**

**Water Right Number:** 43QJ 30138976 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** DAVID OTT  
PO BOX 56  
REED POINT, MT 59069

GAYLE OTT  
PO BOX 56  
REED POINT, MT 59069

**Priority Date:** JUNE 12, 1918

**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:** COUNTRYMAN CREEK, NORTH FORK

**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         |                 | N2N2           | 30         | 2S         | 18E        | STILLWATER    |

**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         |              |                 | N2N2           | 30         | 2S         | 18E        | STILLWATER    |

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**YELLOWSTONE RIVER, FROM BRIDGER CREEK TO CLARKS FORK YELLOWSTONE**  
**BASIN 43QJ**

**Water Right Number:** 43QJ 30138982 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** DAVID OTT  
PO BOX 56  
REED POINT, MT 59069

GAYLE OTT  
PO BOX 56  
REED POINT, MT 59069

**Priority Date:** OCTOBER 15, 1918

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** 7.00 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.

**Source Name:** WHISTLE CREEK SPRINGS

**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         |                 | SENESW         | 7          | 2S         | 18E        | STILLWATER    |

**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         |              |                 | SENESW         | 7          | 2S         | 18E        | STILLWATER    |

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM**

**YELLOWSTONE RIVER, FROM BRIDGER CREEK TO CLARKS FORK YELLOWSTONE  
BASIN 43QJ**

**Water Right Number:** 43QJ 30138984 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** DAVID OTT  
PO BOX 56  
REED POINT, MT 59069

GAYLE OTT  
PO BOX 56  
REED POINT, MT 59069

**Priority Date:** OCTOBER 15, 1918

**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:** WHISTLE 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                           |                              |                | 7          | 2S         | 18E        | STILLWATER    |
| <b>Period of Diversion:</b> | JANUARY 1 TO DECEMBER 31     |                |            |            |            |               |
| <b>Diversion Means:</b>     | LIVESTOCK DIRECT FROM SOURCE |                |            |            |            |               |
| 2                           |                              | SESE           | 12         | 2S         | 17E        | SWEET GRASS   |
| <b>Period of Diversion:</b> | JANUARY 1 TO DECEMBER 31     |                |            |            |            |               |
| <b>Diversion Means:</b>     | 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         |              |                 |                | 7          | 2S         | 18E        | STILLWATER    |
| 2         |              |                 | SESE           | 12         | 2S         | 17E        | SWEET GRASS   |

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**YELLOWSTONE RIVER, FROM BRIDGER CREEK TO CLARKS FORK YELLOWSTONE**  
**BASIN 43QJ**

**Water Right Number:** 43QJ 30138988 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** DAVID OTT  
PO BOX 56  
REED POINT, MT 59069

GAYLE OTT  
PO BOX 56  
REED POINT, MT 59069

**Priority Date:** MARCH 19, 1918

**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:** UNNAMED TRIBUTARY OF SECTIONHOUSE 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         |                 | S2             | 18         | 2S         | 18E        | STILLWATER    |

**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         |              |                 | S2             | 18         | 2S         | 18E        | STILLWATER    |

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM**

**YELLOWSTONE RIVER, FROM BRIDGER CREEK TO CLARKS FORK YELLOWSTONE  
BASIN 43QJ**

**Water Right Number:** 43QJ 30138990 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** DAVID OTT  
PO BOX 56  
REED POINT, MT 59069

GAYLE OTT  
PO BOX 56  
REED POINT, MT 59069

**Priority Date:** OCTOBER 15, 1918

**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:** UNNAMED TRIBUTARY OF WHISTLE 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                           |                              |                | 7          | 2S         | 18E        | STILLWATER    |
| <b>Period of Diversion:</b> | JANUARY 1 TO DECEMBER 31     |                |            |            |            |               |
| <b>Diversion Means:</b>     | LIVESTOCK DIRECT FROM SOURCE |                |            |            |            |               |
| 2                           |                              | SENE           | 12         | 2S         | 17E        | SWEET GRASS   |
| <b>Period of Diversion:</b> | JANUARY 1 TO DECEMBER 31     |                |            |            |            |               |
| <b>Diversion Means:</b>     | 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         |              |                 |                | 7          | 2S         | 18E        | STILLWATER    |
| 2         |              |                 | SENE           | 12         | 2S         | 17E        | SWEET GRASS   |

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**YELLOWSTONE RIVER, FROM BRIDGER CREEK TO CLARKS FORK YELLOWSTONE**  
**BASIN 43QJ**

**Water Right Number:** 43QJ 30138992 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** DAVID OTT  
PO BOX 56  
REED POINT, MT 59069

GAYLE OTT  
PO BOX 56  
REED POINT, MT 59069

**Priority Date:** JUNE 12, 1918

**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:** COUNTRYMAN CREEK, SOUTH FORK

**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         |                 | SENE           | 30         | 2S         | 18E        | STILLWATER    |

**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         |              |                 | SENE           | 30         | 2S         | 18E        | STILLWATER    |

**POST DECREE**  
**ABSTRACT OF WATER RIGHT CLAIM**  
**YELLOWSTONE RIVER, FROM BRIDGER CREEK TO CLARKS FORK YELLOWSTONE**  
**BASIN 43QJ**

**Water Right Number:** 43QJ 30138994 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** DAVID OTT  
PO BOX 56  
REED POINT, MT 59069

GAYLE OTT  
PO BOX 56  
REED POINT, MT 59069

**Priority Date:** JUNE 16, 1915

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

**Flow Rate:** 8.00 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.

**Source Name:** UNNAMED TRIBUTARY OF COUNTRYMAN CREEK, NORTH FORK

**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         |                 | NENE           | 24         | 2S         | 17E        | SWEET GRASS   |

**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         |              |                 | NENE           | 24         | 2S         | 17E        | SWEET GRASS   |

**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM**

**YELLOWSTONE RIVER, FROM BRIDGER CREEK TO CLARKS FORK YELLOWSTONE  
BASIN 43QJ**

**Water Right Number:** 43QJ 30138996 STATEMENT OF CLAIM

**Version:** 3 -- POST DECREE

**Status:** ACTIVE

**Owners:** DAVID OTT  
PO BOX 56  
REED POINT, MT 59069

GAYLE OTT  
PO BOX 56  
REED POINT, MT 59069

**Priority Date:** MAY 21, 1915

**Type of Historical Right:** USE

**Purpose (Use):** STOCK

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

**\*Volume:** THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

**Source Name:** UNNAMED TRIBUTARY OF COUNTRYMAN CREEK, NORTH FORK

**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         |                 | SWSESW         | 24         | 2S         | 17E        | SWEET GRASS   |

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

**Diversion Means:** LIVESTOCK DIRECT FROM SOURCE

|   |  |      |    |    |     |            |
|---|--|------|----|----|-----|------------|
| 2 |  | N2N2 | 30 | 2S | 18E | STILLWATER |
|---|--|------|----|----|-----|------------|

**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         |              |                 | SWSESW         | 24         | 2S         | 17E        | SWEET GRASS   |
| 2         |              |                 | N2N2           | 30         | 2S         | 18E        | STILLWATER    |