

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

**IN THE WATER COURT OF THE STATE OF MONTANA
YELLOWSTONE DIVISION
YELLOWSTONE RIVER BELOW POWDER RIVER – BASIN (42M)
INTERLOCUTORY DECREE**

CLAIMANT: Hot Bar Land & Cattle Co.

NOTICE OF INTENT TO APPEAR: United States of
America (Bureau of Land Management)

CASE 42M-0038-I-2023

42M 30133731
42M 30133736
42M 30133741
42M 30133743
42M 30134080

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 may file a written objection to this Master’s Report within **10 days** of the stamped date if you disagree or find errors with the Master’s findings of fact, conclusions of law, or recommendations. Rule 23, W.R.Adj.R. If the Master’s Report was mailed to you, the Montana Rules of Civil Procedure allow an additional 3 days be added to the 10-day objection period. Rule 6(d), M.R.Civ.P. If you file an objection, you must serve a copy of the objection to all parties on the service list found at the end of the Master’s Report. The original objection and a certificate of mailing to all parties on the service list must be filed with the Water Court.

If you do not file a timely objection, the Water Court will conclude that you agree with the content of this Master’s Report.

MASTER’S REPORT

FINDINGS OF FACT

1. Hot Bar Land & Cattle Co. (Hot Bar) is the record owner of claims 42M

30133731, 42M 30133736, 42M 30133741, 42M 30133743, and 42M 30134080.

2. Claims 42M 30133731, 42M 30133736, 42M 30133741, 42M 30133743, and 42M 30134080 were decreed with a DNRC remark stating:

THIS CLAIM NUMBER WAS NOT INCLUDED IN THE BASIN 42M DECREE ISSUED 01/24/2014.

The issue remark provided notice that the claims were not included in the Preliminary Decree for this Basin and provided parties an opportunity to object to the claims. No objections were filed.

Additionally, claim 42M 30133736 was decreed with the following ownership issue remarks:

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 05/25/2021 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY LORI HILBERT.
ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 05/27/2021 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY BARRY T ANDERSON, AVA LEE ANDERSON, AND BERNETTA I ANDERSON.
THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON FEDERAL LAND.

Claim 42M 30133741 was also decreed with ownership issue remarks:

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 06/02/2021 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY ALMA J, RUTH M, HELEN E, PAUL B, MARGARET A & LORAIN TUFTE.
ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 06/02/2021 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY RICHARD L & ROOKIE W SHOOPMAN.
THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OR ALL OF THE PLACE OF USE APPEARS TO BE ON FEDERAL LAND.

Potential owners were notified of their interest in the claims.

3. The United States of America (BLM) filed Notices of Intent to Appear for claims 42M 30133736 and 42M 30133741 indicating modifications may need to be made to legal land descriptions to remove federal land from the claims.

4. On December 12, 2023, Hot Bar submitted Verified Motions to Amend claims 42M 30133736 and 42M 30133741 to remove the parcels of private land that Hot Bar does not own from the points of diversion and places of use. (Doc.¹ 4.00). Neither Motion to Amend included a map showing the proposed modified points of diversion and

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

places of use, and the proposed abstract for 42M 30133736 did not address all the parcels Hot Bar sought to have removed from the points of diversion and places of use.

5. On January 22, 2024, the BLM and Shana Baisch, registered agent for Hot Bar, filed a Stipulation; the Stipulation included proposed abstracts, maps, and a grazing permit. Pursuant to the Stipulation, the following modifications should be made to claims 42M 30133736 and 42M 30133741, resolving the Notice of Intent to Appear concerns, and removing federal land from the claims:

42M 30133736:

- Point of diversion and place of use ID No. 39 should be removed from the claim.
- The following remarks should be added to the claim:
 - POINT OF DIVERSION/PLACE OF USE ID NO. 28 IS LIMITED TO COS #92 AND M&B TRACT DESCRIBED IN BOOK A126 PAGE 548.
 - ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: ALL SOUTH OF INTERSTATE 94 IN SECTION 29, TOWNSHIP 16N, RANGE 56E, DAWSON COUNTY. SEE EXHIBIT 1 TO THE STIPULATION FILED IN WATER COURT CASE 42M-0038-I-2023 FOR THE COMPLETE LEGAL LAND DESCRIPTION OF THE PRIVATE LAND TO WHICH THIS WATER RIGHT IS APPURTENANT.

42M 30133741:

- The point of diversion and place of use ID Nos. 3 and 4 should be modified to:

3	SWNW	S2NW	2	15N	56E	DAWSON
4	NESE	SE	2	15N	56E	DAWSON
- Point of diversion and place of use ID No. 5 should be removed.
- The following remark should be added to the claim:
 - ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: ALL SOUTH OF INTERSTATE 94 IN SECTION 29, TOWNSHIP 16N, RANGE 56E, DAWSON COUNTY. SEE EXHIBIT 1 TO THE STIPULATION FILED IN WATER COURT CASE 42M-0038-I-2023 FOR THE COMPLETE LEGAL LAND DESCRIPTION OF THE PRIVATE LAND TO WHICH THIS WATER RIGHT IS APPURTENANT.

The Stipulation indicated that if the above-listed changes are implemented, the December 12, 2023 Motions to Amend are withdrawn. Additionally, the Stipulation indicated:

6. Upon entry of a ruling and final order in this case reflecting the modifications stipulated above, the United States' Notice of Intent to Appear concerns shall be deemed resolved, provided that such order(s) do not expand or change other substantive elements of the claim or add new owners.

PRINCIPLES AND CONCLUSIONS OF LAW

1. The Water Court is required to address all issue remarks decreed on a claim as well as any objections or notices of intent to appear a claim receives. Sections 85-2-233, 85-2-247, and 85-2-248, MCA.

2. A properly filed Statement of Claim for an existing water right is prima facie proof of its content. Section 85-2-227, MCA. This prima facie validity may be overcome by evidence showing that one or more elements of the claim are incorrect. This standard of proof applies to objectors or claimants objecting to their own water right claims. Rule 19, W.R.Adj.R., *Nelson v. Brooks*, 2014 MT 120; 375 Mont.86, 95; 329 P.3d 558, 564.

3. The remark decreed on the claims in this Case, indicating that they were not included in the 2014 decree have served their purpose. As no objections were filed, no further proceedings are required.

RECOMMENDATIONS

1. The notices of intent to appear should be dismissed as this Master's Report recommends the changes contemplated in the Stipulation be made to claims 42M 30133736 and 42M 30133741.

2. Claims 42M 30133736 and 42M 30133741 should be modified as shown in Finding of Fact No. 5.

3. The issue remarks should be removed from the claims in this Case. Post Decree Abstracts of Water Right Claims are served with the Report for review.

ELECTRONICALLY SIGNED AND DATED BELOW.

Service Via Electronic Mail:

Judith E. Coleman
Trial Attorney
US Dept of Justice, ENRD-NRS
P.O. Box 7611
Washington, DC 20044-7611
(202) 514-3553
judith.coleman@usdoj.gov
montanabasins.enrd@usdoj.gov

Service via USPS Mail:

Hot Bar Land & Cattle Co.
323 Rd. 300
Glendive, MT 59330-9258

(Potential Owners)

Barry T. Anderson
525 Road 300
Glendive, MT 59330-9583

(Potential Owners)

Lori Hilbert
120 Hillcrest Ave.
Glendive, MT 59330-2815

(Potential Owners)

Richard L. Shoopman
Rockie W. Shoopman
388 FAS 335
Glendive, MT 59330-9575

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, BELOW POWDER RIVER
BASIN 42M**

Water Right Number: 42M 30133731 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: HOT BAR LAND & CATTLE CO
323 RD 300
GLEN DIVE, MT 59330-9258

Priority Date: JANUARY 1, 1960

***Type of Historical Right:** FILED

Purpose (Use): STOCK

Flow Rate: 15.00 GPM

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

Source Name: GROUNDWATER

Source Type: GROUNDWATER
ALSO KNOWN AS KRUG CREEK WINDMILL

***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		NWNWNW	12	15N	56E	DAWSON

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			NWNWNW	12	15N	56E	DAWSON

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, BELOW POWDER RIVER
BASIN 42M**

Water Right Number: 42M 30133736 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: HOT BAR LAND & CATTLE CO
323 RD 300
GLEN DIVE, MT 59330-9258

Priority Date: NOVEMBER 22, 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 STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: GLEN DIVE CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	4	NWNW	3	15N	56E	DAWSON
Period of Diversion:		JANUARY 1 TO DECEMBER 31				
Diversion Means:		LIVESTOCK DIRECT FROM SOURCE				
2		SWNW	3	15N	56E	DAWSON
Period of Diversion:		JANUARY 1 TO DECEMBER 31				
Diversion Means:		LIVESTOCK DIRECT FROM SOURCE				
3		W2SESW	3	15N	56E	DAWSON
Period of Diversion:		JANUARY 1 TO DECEMBER 31				
Diversion Means:		LIVESTOCK DIRECT FROM SOURCE				
4		W2SW	3	15N	56E	DAWSON
Period of Diversion:		JANUARY 1 TO DECEMBER 31				
Diversion Means:		LIVESTOCK DIRECT FROM SOURCE				
5	1	NENE	4	15N	56E	DAWSON
Period of Diversion:		JANUARY 1 TO DECEMBER 31				
Diversion Means:		LIVESTOCK DIRECT FROM SOURCE				
6		S2NE	10	15N	56E	DAWSON
Period of Diversion:		JANUARY 1 TO DECEMBER 31				
Diversion Means:		LIVESTOCK DIRECT FROM SOURCE				

7	E2NW	10	15N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
8	N2SE	10	15N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
9	S2SWNW	11	15N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
10	SESW	11	15N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
11	W2SW	11	15N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
12	NW	14	15N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
13	W2SWNE	29	15N	57E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
14	NW	29	15N	57E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
15	E2SW	29	15N	57E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
16	NENE	30	15N	57E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
17	E2NWNE	30	15N	57E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
18	E2SENE	30	15N	57E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
19	NENE	32	15N	57E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
20	NESENE	32	15N	57E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				

21		SWSWNE	33	15N	57E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
22		S2NW	33	15N	57E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
23		E2NESW	33	15N	57E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
24		NESESW	33	15N	57E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
25		SESW	28	16N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
26	4	SWSW	28	16N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
27		SWNW	29	16N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
28		SESE	29	16N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
29	6	SWSE	29	16N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
30		E2SW	29	16N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
31		N2NWSW	29	16N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
32		W2NWNE	33	16N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
33		NWSWNE	33	16N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
34		E2SESW	33	16N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					

35 NWSE 33 16N 56E DAWSON
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

36 7 SESE 33 16N 56E DAWSON
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

37 6 SWSE 33 16N 56E DAWSON
Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

38 NENESW 33 16N 56E DAWSON
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		4	NWNW	3	15N	56E	DAWSON
2			SWNW	3	15N	56E	DAWSON
3			W2SESW	3	15N	56E	DAWSON
4			W2SW	3	15N	56E	DAWSON
5		1	NENE	4	15N	56E	DAWSON
6			S2NE	10	15N	56E	DAWSON
7			E2NW	10	15N	56E	DAWSON
8			N2SE	10	15N	56E	DAWSON
9			S2SWNW	11	15N	56E	DAWSON
10			SESW	11	15N	56E	DAWSON
11			W2SW	11	15N	56E	DAWSON
12			NW	14	15N	56E	DAWSON
13			W2SWNE	29	15N	57E	DAWSON
14			NW	29	15N	57E	DAWSON
15			E2SW	29	15N	57E	DAWSON
16			NENE	30	15N	57E	DAWSON
17			E2NWNE	30	15N	57E	DAWSON
18			E2SENE	30	15N	57E	DAWSON
19			NENE	32	15N	57E	DAWSON
20			NESENE	32	15N	57E	DAWSON
21			SWSWNE	33	15N	57E	DAWSON
22			S2NW	33	15N	57E	DAWSON
23			E2NESW	33	15N	57E	DAWSON
24			NESESW	33	15N	57E	DAWSON
25			SESW	28	16N	56E	DAWSON
26		4	SWSW	28	16N	56E	DAWSON
27			SWNW	29	16N	56E	DAWSON
28			SESE	29	16N	56E	DAWSON
29		6	SWSE	29	16N	56E	DAWSON
30			E2SW	29	16N	56E	DAWSON
31			N2NWSW	29	16N	56E	DAWSON

32		W2NWNE	33	16N	56E	DAWSON
33		NWSWNE	33	16N	56E	DAWSON
34		E2SENW	33	16N	56E	DAWSON
35		NWSE	33	16N	56E	DAWSON
36	7	SESE	33	16N	56E	DAWSON
37	6	SWSE	33	16N	56E	DAWSON
38		NENESW	33	16N	56E	DAWSON

ALL OR A PART OF THE PLACE OF USE CONSISTS OF FEDERAL PUBLIC LANDS. THE WATER RIGHT USED ON THE PUBLIC LANDS IS APPURTENANT TO THE FOLLOWING PRIVATE LANDS: ALL SOUTH OF INTERSTATE 94 IN SECTION 29, TOWNSHIP 16N, RANGE 56E, DAWSON COUNTY. SEE EXHIBIT 1 TO THE STIPULATION FILED IN WATER COURT CASE 42M-0038-I-2023 FOR THE COMPLETE LEGAL LAND DESCRIPTION OF THE PRIVATE LAND TO WHICH THIS WATER RIGHT IS APPURTENANT.

Remarks:

POINT OF DIVERSION/PLACE OF USE ID NO. 28 IS LIMITED TO COS #92 AND M&B TRACT DESCRIBED IN BOOK A126 PAGE 548.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, BELOW POWDER RIVER
BASIN 42M

Water Right Number: 42M 30133741 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: HOT BAR LAND & CATTLE CO
323 RD 300
GLEN DIVE, MT 59330-9258

Priority Date: JUNE 13, 1919

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.

Source Name: KRUG CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSW	1	15N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2	4	NWNW	2	15N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		SWNW	2	15N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4		NESE	2	15N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
5	1	NENE	3	15N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
6	2	NWNE	3	15N	56E	DAWSON
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, BELOW POWDER RIVER
BASIN 42M**

Water Right Number: 42M 30133743 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: HOT BAR LAND & CATTLE CO
323 RD 300
GLEN DIVE, MT 59330-9258

Priority Date: JANUARY 1, 1958

***Type of Historical Right:** FILED

Purpose (Use): STOCK

Flow Rate: 4.00 GPM

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

Source Name: GROUNDWATER

Source Type: GROUNDWATER
ALSO KNOWN AS SILO S FLOWING WELL
FLOWING ARTESIAN WELL

***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	1	NENENE	32	16N	56E	DAWSON

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		1	NENENE	32	16N	56E	DAWSON

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, BELOW POWDER RIVER
BASIN 42M**

Water Right Number: 42M 30134080 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: HOT BAR LAND & CATTLE CO
323 RD 300
GLEN DIVE, MT 59330-9258

Priority Date: JANUARY 1, 1958

***Type of Historical Right:** FILED

Purpose (Use): STOCK

Flow Rate: 15.00 GPM

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

Source Name: 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		SWSWNE	33	16N	56E	DAWSON

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			SWSWNE	33	16N	56E	DAWSON